

SCIENTIFIC COMMITTEE ON HEALTH, ENVIRONMENT AND EMERGING RISKS (SCHEER)

REQUEST FOR A SCIENTIFIC OPINION ON "DRAFT ENVIRONMENTAL QUALITY STANDARDS FOR PRIORITY SUBSTANCES UNDER THE WATER FRAMEWORK DIRECTIVE"

European Commission Department requesting the Opinion: Directorate-General for Environment, Unit C1

1. Background

Article 16 of the Water Framework Directive (WFD, 2000/60/EC) requires the Commission to identify Priority Substances among those presenting significant risk to or via the aquatic environment, and to set EU Environmental Quality Standards (EQS) for those substances in water, sediment and/or biota. In 2001 a first list of 33 Priority Substances was adopted (Decision 2455/2001) and in 2008 the EQS for those substances were established (Directive 2008/105/EC or EQS Directive, EQSD). WFD Article 16 requires the Commission to periodically review the list. The first review led to a Commission proposal in 2011, resulting in the adoption of a revised list in 2013 containing an additional 12 Priority Substances. Technical work to support a second review has been underway for some time, and several substances have been identified as possible candidate Priority Substances. The Commission will be drafting a legislative proposal, with the aim of presenting it to the Council and the Parliament around the middle of 2022.

The technical work has been supported by the Working Group (WG) Chemicals under the Common Implementation Strategy for the WFD. The WG is chaired by DG Environment and consists of experts from Member States, EFTA countries, candidate countries and several European umbrella organisations representing a wide range of interests (industry, agriculture, water, environment, etc.).

Experts nominated by WG Members (operating as individual substance Expert Groups and through the Sub-Group on Review of Priority Substances, SG-R) have been deriving EQS for the possible candidate substances and have produced draft EQS for most of them. In some cases, a consensus has been reached, but in some others there is disagreement about one or other component of the draft dossier. EQS for a number of existing priority substances are currently also being revised.

The EQS derivation has been carried out in accordance with the Technical Guidance Document on Deriving EQS (TGD-EQS) reviewed by the SCHEER¹.

2. Terms of Reference

DG Environment now seeks the opinion of the SCHEER on the draft EQS for the proposed Priority Substances and the revised EQS for a number of existing Priority Substances. The

¹ <https://circabc.europa.eu/ui/group/9ab5926d-bed4-4322-9aa7-9964bbe8312d/library/ba6810cd-e611-4f72-9902-f0d8867a2a6b/details>

SCHEER is asked to provide an opinion for each substance. We ask that the SCHEER focus on:

1. whether the EQS have been correctly and appropriately derived, in the light of the available information and the TGD-EQS;

2. whether the most critical EQS (in terms of impact on environment/health) has been correctly identified.

Where there is disagreement between experts of WG Chemicals or there are other unresolved issues, we ask that the SCHEER consider **additional points**, identified in the cover note(s).

For each substance, a **comprehensive EQS dossier** is or will be available. DG Environment is providing three EQS dossiers ahead of the 3-4 March SCHEER Plenary and expects to provide most of the remaining dossiers over the next three months. The dossiers contain much more information than simply the draft EQS; the SCHEER is asked to focus on the latter.

In some cases, especially where additional points are raised, additional documents may be provided. Some of the studies referred to in the dossiers are not publicly available. If the SCHEER needs to see these, it is invited to please contact DG Environment.

3. Deadline:

Preliminary opinions for each dossier: from mid-summer until autumn 2021

Final opinion: in the end of 2021