



STATUS OF THE DISCUSSION CONCERNING THE FUTURE GROUNDWATER DIRECTIVE

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Existing groundwater policy framework



- ▶ Directive 80/68/EEC on the protection of groundwater against pollution:
 - ensures protection framework by preventing the direct discharge of high priority pollutants (List I) and subjecting the discharge of other pollutants (List II) to an authorisation procedure;
 - monitoring is required only for specific cases of authorisation.
- ▶ Difficulties in implementation due to a lack of groundwater quality data and objectives.

Existing groundwater policy framework



- ▶ Directive 80/68/EEC will be repealed in 2013 under the Water Framework Directive (2000/60/EC).
- ▶ WFD provides only a general framework for groundwater protection.
- ▶ Strategies to prevent and control pollution of groundwater are covered by Article 17 of the WFD.

Groundwater Directive proposal



- ▶ European Commission has adopted the proposal for a Groundwater Directive (COM(2003)550 final) on 19th September 2003.
- ▶ Main elements of the proposal:
 - compliance regime for assessing good chemical status for groundwater for a limited number of pollutants where existing Community standards prevail;
 - criteria for assessing the chemical status of groundwater based on environmental quality standards;
 - criteria for identifying significant upward trends in pollutant concentrations in groundwater and defining starting points for reversing these trends;
 - measures for preventing or limiting direct and indirect inputs of pollutants into groundwater.



Groundwater Directive proposal



- ▶ GWD proposal complements the WFD and ensures a continuity of the protection regime of the 80/68/EEC Directive.
- ▶ Programme of measures for each river basin district includes the prevention of indirect discharges to groundwater of any of the pollutants referred to in points 1 to 6 of Annex VIII to the WFD.
- ▶ Prior investigation and authorisation pursuant to Articles 4 and 5 of 80/68/EEC Directive is required.

Current state of the negotiation process



- ▶ On 28th April 2005, the European Parliament voted in first reading on the amendments tabled on the proposal.
- ▶ Of 123 amendments to the Commission proposal the European Parliament adopted 89 amendments.
- ▶ “European Parliament legislative resolution on the proposal for a directive of the European Parliament and of the Council on the protection of groundwater against pollution” (COM (2003) 0550 – C5-0447/2003 – 2003/0210(COD))
- ▶ In response to EP amendments: Commission’s “Amended proposal for a Directive of European Parliament and of the Council on the protection of groundwater against pollution 2003/0210 (COD).

Current state of the negotiation process



- ▶ Commission's position with regard to the amendments: 2/3rd of the amendments are acceptable in full, or in part; 1/3rd of the amendments are not acceptable.
- ▶ Interministerial Environment Council meeting was held in Luxemburg on 24th June 2005.
- ▶ Council reached political agreement on Groundwater Directive file with three amendments.
- ▶ Follow-up:
 - a) submission of the final Presidency text corresponding to the Common Position:
 - b) new communication produced by the Commission;
 - c) publication of the Common Position and the Commission's communication and transmission to the institutions.

Current state of the negotiation process



- ▶ Formal adoption of Common Position scheduled at the Environment Council meeting on 1st December 2005.
- ▶ COM Communication on common position to be prepared by that date.
- ▶ Second reading expected after transmission of common position to EP (Jan/Feb 2006).
- ▶ Expected adoption before summer 2006.

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Groundwater Working Group (C)



- ▶ GW C is part of the CIS of the WFD.
- ▶ Members are representative of:
 - EU Member States;
 - Associated and Candidate countries;
 - industrial and scientific stakeholders;
 - NGO's
- ▶ Goal: to elaborate groundwater guidance document for the implementation of the WFD and the forthcoming GWD.

Activities of the WG during 2003-2004



- ▶ Exchanges of information/experiences on issues covered by the WFD.
- ▶ Workshops allowed producing technical reports gathering the participant's experience.
- ▶ Technical reports are the basis for drafting activities related to WFD provisions, which require further technical guidance.

Identification and characterisation of GW bodies (Brussels, Oct. 2003)



- ▶ Technical report on groundwater body characterisation summarises key elements of groundwater body characterisation:
 - Horizontal Guidance on Water Bodies (Guidance document No. 2: Identification of water bodies, ISBN 92-894-5122-X, 2003);
 - reports on case studies and the current state of implementation at the national or regional level or within Pilot River Basins.
- ▶ Horizontal Guidance Document is not sufficient to carry out the identification of groundwater bodies in a harmonised way; additional studies will be necessary.
- ▶ Methodology for transboundary groundwater bodies is needed.

Groundwater risk assessment (Brussels, Jan. 2004)



- ▶ Technical report on groundwater risk assessment issues summarises key elements of :
 - a) general approach on the analysis of pressures and impacts and tools to assist,
 - IMPRESS guidance document (Guidance document No. 3: Analysis of pressures and impacts (Impress), ISBN 92-894-5123-8);
 - b) groundwater risk assessment,
 - aquifer pollution vulnerability and contamination risks;
 - reports on assessment approaches in the light of the WFD, at the national or regional level, or within Pilot River Basins;
 - reports on on-going research on groundwater risk assessment.

Groundwater monitoring (Brussels, June 2004)



- ▶ Technical report on groundwater monitoring summarises:
 - a) key elements, best practice and tools for the design of groundwater monitoring programmes,
 - Monitoring Guidance Document (Guidance document No. 7: Monitoring under the Water Framework Directive, ISBN 92-894-5127-0);
 - b) main findings regarding monitoring,
 - Technical report No.1: EU Water Framework Directive: Statistical aspects on the identification of groundwater pollution trends, and aggregation of monitoring results. Final report. Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management (Ref. 41.046/01-IV1/00 and GZ 16 2500/2-1/6/00), European Commission.

Groundwater status and trends (Brussels, Oct. 2004)



- ▶ Groundwater chemical status assessment depends on algorithm for data aggregation according to WFD Annex V 2.4.5.
- ▶ Monitoring network and quality assurance aspects need to be covered.
- ▶ Key elements to be considered for establishing threshold values at national regional and local levels are part of BRIDGE project (Background Criteria for the identification of groundwater thresholds).

Activities of the WG during 2005



- ▶ Drafting activity in progress:
 - monitoring (GW 1 Monitoring);
 - groundwater and protected areas (GW 2 Protected areas);
 - direct/indirect discharges (GW 3 Direct and indirect inputs).

- ▶ Drafting activity expected (GW 4 Status and Trends) :
 - trend identification and reversal;
 - quantitative and chemical status compliance testing.

Groundwater Monitoring Drafting Group – GW 1



- ▶ Work in close cooperation with WG 2E “Priority substances”.
- ▶ Topics to be covered:
 - monitoring network design;
 - main and minimum requirements for QA/QC procedures;
 - technical specifications: sampling requirements, measurement methods, validation procedures and data interpretation and uncertainty;
 - need for standardisation.
- ▶ Chemical status aspects will be covered within the “Chemical Monitoring drafting group”; parallel drafting will be needed on quantitative status monitoring.
- ▶ Leader: Mr. Johannes Grath (AT Environment Agency).

Protected Areas Drafting Group – GW 2



- ▶ Goal: to clarify the groundwater aspects of the WFD's requirements for Protected Areas, with a particular focus on the requirements for Drinking Water Protected Areas.
- ▶ Topics to be covered:
 - identification/delineation criteria for Drinking Water Protected areas and establishment of the safeguard zones;
 - quality considerations - distinction between natural variability and anthropogenic impacts;
 - special monitoring requirements for protected areas – link with “Monitoring Group”.
- ▶ Leader: Mr. Tony Marsland (UK Environment Agency).



Direct and Indirect Inputs

Drafting Group – GW 3



- ▶ Goal: to provide a general guidance document to support the prevention and limitation of direct and indirect inputs.
- ▶ Topics to be covered:
 - implementation of the risk assessment methods of direct and indirect discharge in the assessment of effects on groundwater;
 - monitoring requirements specially designed to provide the information needed to validate that direct and indirect inputs do not cause a degradation of the groundwater quality status outside defined areas;
 - processes in the unsaturated and saturated zone.
- ▶ Leader: Mr. Wouter Gevaerts (NICOLE)



Mediterranean group – GW 5

- ▶ Framework of a “Joint Water Framework Directive / EU Water Initiative Process”.
- ▶ Goal: to exchange experiences, share common challenges and develop synergies between the EU and non EU countries or river basins of the Mediterranean on groundwater issues.
- ▶ Priority issues:
 - over-exploitation;
 - saltwater intrusion;
 - monitoring and data management;
 - international cooperation.

Groundwater Conference

<http://www.umweltbundesamt.at/eu-groundwater2006/?&L=1>



- ▶ Time: 22-23 June 2006.
- ▶ Place: Vienna.
- ▶ Goals:
 - to exchange information and views on the state of implementation of the WFD regarding groundwater;
 - to finalise the groundwater guidance document developed by WG C prior to its submission to the Water Directors and to the Article 21 Committee.
- ▶ Expected deliverables:
 - final version of the guidance document;
 - conference proceedings collecting WG C participant's contributions.

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Groundwater Conference

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- ▶ Target audience:
 - policy decision makers;
 - science and implementation staff.
- ▶ The conference would be accompanied by a poster session and back-to-back workshops (e.g. BRIDGE project).
- ▶ 1st announcement: 5 October 2005.
- ▶ 2nd announcement: December 2005.
- ▶ Final programme: February 2006.

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