

**Proposal for a European Parliament and Council Decision establishing the list of priority substances in the field of water policy**

(2000/C 177 E/11)

(Text with EEA relevance)

COM(2000) 47 final — 2000/0035(COD)

(Submitted by the Commission on 7 February 2000)

THE EUROPEAN PARLIAMENT AND THE  
COUNCIL OF THE EUROPEAN UNION,

ecotoxicity and human toxicity via aquatic exposure routes,

Having regard to the Treaty establishing the European Community, and in particular to Article 175(1) thereof,

— evidence from monitoring of widespread environmental contamination and

Having regard to the Proposal from the Commission <sup>(1)</sup>,

— other proven factors which may indicate the possibility of widespread environmental contamination, such as production, use volume and use pattern of the substance concerned.

Having regard to the opinion of the Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

(5) The Commission has, on this basis, developed a combined monitoring-based and modelling-based priority setting (COMMPS) scheme, in collaboration with experts of interested parties, involving the Scientific Committee for Toxicity, Ecotoxicity and the Environment, Member States, EFTA countries, the European Environment Agency, European business associations including those representing small and medium-sized enterprises and European environmental organisations.

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

(1) Council Directive 76/464/EEC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community <sup>(2)</sup> and the Directives adopted within its framework represent presently the major Community instrument for the control of point and diffuse discharges of dangerous substances.

(6) A first list of 32 priority substances or groups of substances has been identified on the basis of the COMMPS procedure, following a publicly open and transparent discussion with the interested parties.

(2) The Community controls under Council Directive 76/464/EEC have been replaced, harmonised and further developed by the Directive of the European Parliament and Council establishing a framework for Community action in the field of water policy.

(7) The expeditious adoption of this list is desirable in order to allow for the timely and continuing implementation of Community controls of dangerous substances pursuant to the strategy set out in Article 16 of the European Parliament and Council Directive establishing a framework for Community action in the field of water policy.

(3) The Directive of the European Parliament and of the Council establishing a framework for Community action in the field of water policy, hereby introduces in Article 16(2) a scientifically based methodology for identifying priority substances on the basis of their risk to aquatic ecosystems.

(8) The list of priority substances adopted under this Decision shall replace the list of substances in the Communication from the Commission to the Council on dangerous substances which might be included in List I of Council Directive 76/464/EEC <sup>(3)</sup>.

(4) The methodology set out in the Directive of the European Parliament and Council establishing a framework for Community action in the field of water policy enables, as a most practical option, the application of a simplified risk-based assessment procedure based on scientific principles taking particular account of

(9) The identification of priority substances targeted to the establishment of controls of emissions into surface waters from land-based sources contributes to the Community commitments under international conventions for the protection of marine waters, in particular to the implementation of the Strategy with regard to hazardous substances adopted at the 1998 OSPAR Ministerial Meeting under the Convention for the protection of the marine environment of the North-East Atlantic pursuant to Council Decision 98/249/EC <sup>(4)</sup>.

— evidence regarding the intrinsic hazard of the substance concerned and, in particular, its aquatic

<sup>(1)</sup> OJ C 184, 17.6.1997, p. 20,  
OJ C 16, 20.1.1998, p. 14 and OJ C 108, 7.4.1998, p. 94.

<sup>(2)</sup> OJ L 129, 18.5.1976, p. 23.

<sup>(3)</sup> OJ C 176, 14.7.1982, p. 3.

<sup>(4)</sup> OJ L 104, 3.4.1998, p. 1.

(10) The COMMPS procedure is designed as a dynamic instrument for the prioritisation of dangerous substances open to continuous improvements and modifications with a view of possible revision and adaptation of the first priority list within at the latest within 6 years of its adoption,

HAVE ADOPTED THIS DECISION:

*Article 1*

The list of priority substances in the field of water policy is hereby established and is set out in the Annex to this Decision.

*Article 2*

The list of priority substances established by this decision replaces the list of substances in the Communication from the Commission to the Council of 22 June 1982 on

dangerous substances which might be included in List I of Council Directive 76/464/EEC.

*Article 3*

The list of priority substances in the field of water policy shall, on its adoption by the European Parliament and the Council, become Annex X to European Parliament and of the Council Directive establishing a framework for Community action in the field of water policy.

*Article 4*

This Decision shall enter into force on the day after its publication in the *Official Journal of the European Communities*.

*Article 5*

This Decision is addressed to the Member States.

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## ANNEX

List of priority substances in the field of water policy <sup>(1)</sup>

	CAS number	EU number	Name
(1)	15972-60-8	240-110-8	Alachlor
(2)	120-12-7	204-371-1	Anthracene
(3)	1912-24-9	217-617-8	Atrazine
(4)	71-43-2	200-753-7	Benzene
(5)	n.a.	n.a.	Brominated diphenylether <sup>(1)</sup>
(6)	7440-43-9	231-152-8	Cadmium and its compounds
(7)	85535-84-8	287-476-5	C <sub>10-13</sub> -chloroalkanes
(8)	470-90-6	207-432-0	Chlorfenvinphos
(9)	2921-88-2	220-864-4	Chlorpyrifos
(10)	75-09-2	200-838-9	Dichloromethane
(11)	107-06-2	203-458-1	1,2-Dichloroethane
(12)	117-81-7	204-211-0	Di(2-ethylhexyl)phthalate (DEHP)
(13)	330-54-1	206-354-4	Diuron
(14)	115-29-7	204-079-4	Endosulfan
	959-98-8	n.a.	(alpha-endosulfan)
(15)	118-74-1	204-273-9	Hexachlorobenzene
(16)	87-68-3	201-765-5	Hexachlorobutadiene
(17)	608-73-1	210-158-9	Hexachlorocyclohexane
	58-89-9	200-401-2	(gamma-isomer, Lindane)
(18)	34123-59-6	251-835-4	Isoproturon
(19)	7439-92-1	231-100-4	Lead and its compounds
(20)	7439-97-6	231-106-7	Mercury and its compounds
(21)	91-20-3	202-049-5	Naphthalene
(22)	7440-02-0	231-111-4	Nickel and its compounds
(23)	25154-52-3	246-672-0	Nonylphenols
	104-40-5	203-199-4	(4-(para)-nonylphenol)
(24)	1806-26-4	217-302-5	Octylphenols
	140-66-9	n.a.	(para-tert-octylphenol)
(25)	n.a.	n.a.	Polyaromatic hydrocarbons
	50-32-8	200-028-5	(Benzo(a)pyrene
	205-99-2	205-911-9	Benzo(b)fluoranthene
	191-24-2	205-883-8	Benzo(g,h,i)perylene
	207-08-9	205-916-6	Benzo(k)fluoranthene
	206-44-0	205-912-4	Fluoroanthene,
	193-39-5	205-893-2	Indeno(1,2,3-cd)pyrene)
(26)	608-93-5	210-172-5	Pentachlorobenzene
(27)	122-34-9	204-535-2	Simazine
(28)	87-86-5	201-778-6	Pentachlorophenol
(29)	688-73-3	211-704-4	Tributyltin compounds
	36643-28-4	n.a.	(Tributyltin-cation)
(30)	12002-48-1	234-413-4	Trichlorobenzenes
	120-82-1	204-428-0	(1,2,4-Trichlorobenzene)
(31)	67-66-3	200-663-8	Trichloromethane (Chloroform)
(32)	1582-09-8	216-428-8	Trifluralin

<sup>(1)</sup> These groups of substances normally include a considerable number of individual compounds. Presently, appropriate indicative parameters cannot be given.

CAS: Chemical Abstract Service.

EU number, i.e. European Inventory of Existing Commercial Chemical Substances (EINECS) or European List of Notified Chemical Substances (ELINCS).

n.a.: not applicable

<sup>(1)</sup> Where groups of substances have been selected, typical individual representatives are listed in brackets as indicative parameters. The establishment of controls will be targeted to these individual substances, without prejudicing the inclusion of other individual representatives where appropriate.