

**International Workshop: Consequences of REACH
for other legal and administrative environmental instruments**
Evaluating the Environmental Effectiveness of REACH (REACH:EEE)
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Working group 2: Immission related strategic issues

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Aims of the discussion in the working group

Get a common understanding on

- specific “reference values” generated by REACH for the description of the safe use of chemicals;
- the relation between these values and existing environmental reference values;
- possibilities for enterprises and authorities to use this information for the monitoring of risk reduction measurements;

Develop conclusions and recommendations for

- the implementation of an immission-based monitoring;
- the cooperation between authorities on the European level;
- the cooperation between authorities and enterprises.

III. Establishing specific links

1. EC-level: Regulation/Directive

a) Interpretation of IPPC/WFD

- Exceeding the PNEC limits would automatically indicate the presence of “significant” pollution in accordance with IPPC Directive (Article 13(2) second indent).
 - An incremental scale for the extent of exceedance would also have to be developed to phase in government measures.
- Exceeding PNEC limit values would indicate that point source pollution reduction measures are to be realized pursuant to Article 10(3) of the Water Framework Directive.
An incremental scale for the extent of exceedance would also have to be developed to phase in government measures.

b) Amendment of IPPC/WFD: Establish specific links explicitly

- General provision: PNEC/DNEL as minimum requirement: indication → “(environmental) quality standard“ (not strict binding),
 - e.g. Art. 10 (3) WFD/Art. 10 IPPC



III. Establishing specific links

a) Amendment of IPPC/WFD: Establish specific links explicitly

- General provision: PNEC/DNEL as minimum requirement: indicative character → equivalent to “(environmental) quality standard” (not strict binding),
 - e.g. Art. 10 (3) WFD/Art. 10 IPPC

b) practical experience

Netherlands-Policy

(water + air); included in guidance documents (→ 2010):

- First threshold: DNEL/PNEC equivalent → active action of nat. gov.
- Second threshold: 1% of the first → negligible risk level

NRW-Bundesland (running process)

NRW-water law + regulation + guideline WFD

- water-monitoring: Rhine 400 subst. in water (120 in suspended matter)
- new licenses: PNEC could be considered
- drinking water: stricter values → surface water

III. Establishing specific links

Results of WG 2

Positive side:

- What is potential threat?
- give us a better picture → a good starting point
- design monitoring programmes and interpretate it

Accessibility

- PNEC/DNEL accessible in REACH database (Art. 119 (1) f REACH) incl. information on the background of the data

III. Establishing specific links

Problems:

- single substance approach
- CMR-substances
- “soft”-link
- different PNECs in different dossiers
- legitimative question

Questions:

- Testing strategy influences the PNEC
- Low number of organisms
- What sort of standard in the context of licenses?
 - local scale
 - regional scale
- What is monitored?
 - surveillance (species + substances)
 - operational risk based: point sources
 - investigative monitoring: one situation
 - compliance monitoring: industry + spot checks

Thank You for Your Attention

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