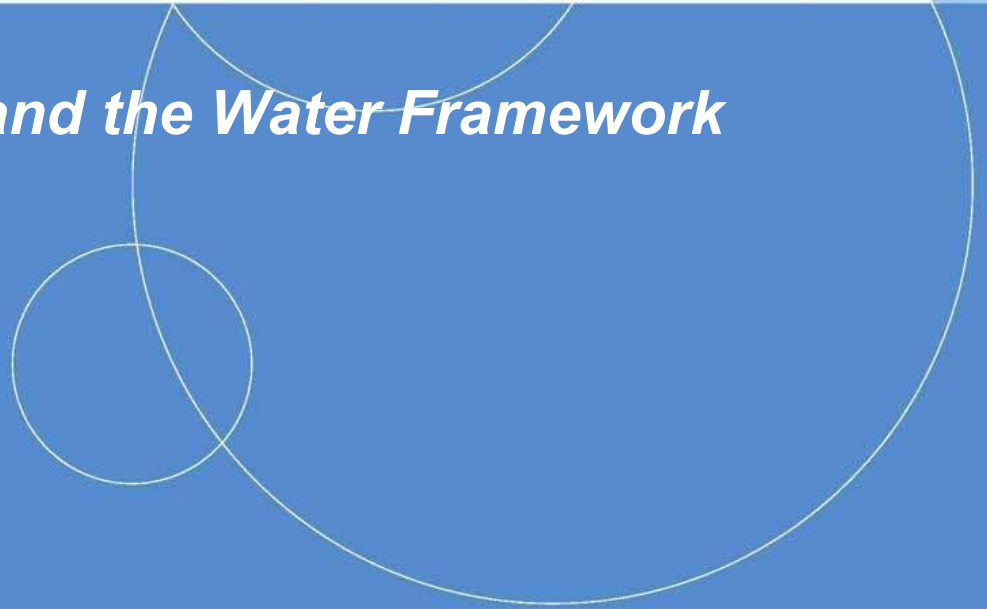




Workshop 4: REACH and the Water Framework Directive



Statements overview

1. Authorities granting permits under the WFD shall respect the risk assessment performed and control measures recommended in the REACH framework.
2. Permits granted for activities with substances of high concern justified by limited data should be reviewed after authorisation of a substance.
3. Permits granted for activities with substances of high concern justified by limited data should be reviewed after authorisation of a substances.
4. Permits granted on basis of the WFD should not be taken into account for the evaluation of an authorisation

Statement 1

Authorities granting permits under the WFD shall respect the risk assessment performed and control measures recommended in the REACH framework.

- Local authorities do have the power to ask for more strict WDF permits
 - WFD EQS are the binding objectives, Strict legislation applies
 - Valuable information from REACH (RMM)
 - Authorities granting permits should take account risk assessment and recommended measures – but they can go beyond these
 - EQS' may need to be reviewed if applicable based on new data
 - REACH may identify substances as SVHS – This may also require revision of WDF EQS
- Local authorities need information about substances from central authorities in the case of no EQS
- National authorities need to help the local authorities by making of a guidance
- Who has the burden of proof, company or authority?
 - o Local authority responsible for protecting local environment
 - o Company responsible for safe use and safe technical proceeding

Statement 2

Permits granted for activities with substances of high concern justified by limited data should be reviewed after authorisation of a substance.

- Phase 1: listing in Annex XIV should also be listed in Annex X of WFD
- Authorised uses:
 - Conflict between phasing out strategy and authorisation
 - There is a need to harmonize policy
- Authorisation should lead to restricted permit
 - Time limited / use specific
- Review process under WFD (5 years)
 - Listing in Annex XIV is “new data”: triggers review
- **Questions:**
 - At what time will we react (in candidate list, in Annex IV/ or after sunset date)?
 - Point of discussion: how to deal with a company saying I am authorized according to REACH, why do I need stricter rules in my permit?

Statement 3

Authorities dealing with obligations of the Water Framework Directive can benefit from the risk management measures recommended in the REACH system.

- Agreement with statement
- Benefit for point source permits
- In some cases they benefit from CSR
 - May indicate type of technology and Indicate level of emission
 - The information from REACH RMM cannot be used directly
- Opportunities mainly for large authorities
 - Smaller authorities are not aware of the consequences of REACH
 - CA in each member state should also have a helpdesk in order to support all kind of authorities
- Need for limited access to data - CA should also screen the data
- Co-operation between authorities responsible for WFD & REACH is needed!
 - What do water-authorities need from REACH/chemical reviewing authorities and vice versa
 - Something, guidance for specific levels, based
 - We need to find out how we can use the information

Statement 4

Permits granted on basis of the WRF should not be taken into account for the evaluation of an authorisation

Two different opinions:

- Agree with statement
 - WFD permits must not be overruled by authorisation
- Authorization rules set the minimum standards

- Disagree with statement:
- “Should be taken in account” does not mean automatic authorisation. COM decides on conditions
- REACH Art 60 (10) provides continuous improvement for minimising emissions
- Clarity for DU is needed what applies for him /her
- Authorities giving permits should be aware of influence on authorization. HOW?
- Candidate list is a “WARNING”-signal
- WFD authorities shall can give input in Authorisation process
- REACH gives massive opportunities for the Water Framework Directive
- Better communication between authorities is necessary

Overall conclusions

- Most restricted legislation must be implemented
- Communication/cooperation between local and central authorities is necessary
- There is a presumed conflict between 'zero emission' policy and authorization of SVHC-substances
 - harmonization of policy is needed
- Some kind of guidance for local authorities is needed regarding European and National objectives in WFD
- More cooperation between REACH authorities and WDF authorities
- REACH provides massive opportunities
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