Tjänsteutlåtande Dnr 2013-11650, Bilaga 1b.

Svar på frågor att fylla i e-blanketten till EU-konsultation för revidering av grundvattendirektivets bilaga I och II, som ska vara ifylld innan den 22 oktober 2013

4.
No, for Annex I and II, the listed challenges are the most important.

5b.
See 7

6b.
See 7

7.
Adding substances to Annex I is of interest since the few existing substances there now are not enough to describe the water quality of groundwater bodies or to protect them from deterioration. Substances with threshold values according to the drinking water directive (98/83/EC) or water framework directive (2013/39/EU) are relevant to consider for amendment, but also other substances with common occurrence and with harmful properties for humans or groundwater depending ecosystems.

There is a risk of establishing a single EQS value for all states though. The big variation in threshold values reported from Member States until now might be explained by a big natural variation or difficulties in sampling and analysing. Concentrations are normally not homogeneously distributed within a groundwater body, especially substances like Tri- and Tetrachloroethylene. Keeping these substances in Annex II Part B will be necessary until increased transparency and reporting shows the reason for variability within the union.

Adding substances to Annex I will mean that measures has to be performed for more groundwater bodies/aquifers, as exceedances of EQS concentrations should be avoided. One problem is feasibility; for groundwater, turn over time and chemical interaction with soil components make improvements hard and expensive to manage, especially within short time frames. It is, though, important to avoid further deterioration (and if feasible improve the quality) and EQS is a useful tool in this work. Adding substances to Annex I should therefore be a goal as long as requirements reaching EQSs should be realistic. For extreme cases, where natural or historical occurrence can explain found high concentrations, it should be possible to describe this and get exemptions.

8.
Nickel, zinc, copper and chrome are metals analysed by several Member States and could be harmful for groundwater dependant ecosystems. All of them could have industrial/anthropogenic sources and should be as relevant as the ones already in Annex II Part B for several groundwater bodies. Alkylphenols (octyl- and nonyl-) should also be relevant to add as well as perfluorinated substances (as PFOS, PFHxS, PFOA and PFHxA); substances which could harm groundwater depending ecosystems and that are often found in groundwater.

9a.
See 8.

9b.
It is feasible and not too expensive to analyse the substances in Annex II part B. Nickel, zinc, copper, chrome and more metals would neither be a problem to add, as the extra cost is insignificant. It is important to increase the knowledge of groundwater quality and to make more efforts not to further pollute groundwater. Therefore more substances should be added to Annex II Part B, and it should be obligatory to report or if not, give a good explanation to why these substances are not reported.

10a.
Threshold Values (TVs) should be as uniform as possible between countries. For natural background levels (NBLs), SE has background information for several substances and has developed a way to analyse concentrations in relation to geological and geographical differences and kinds of sampling point. Maybe other Member States have also developed similar methods to be able to judge the quality of different groundwater bodies. Of course it would be nice if the same method would be used within the whole union, but this might not be feasible, due to the variation in geology/geography. Reporting NBLs should therefore not be obligatory, but Member States should be able to explain cases where TVs deviate from more uniform values.

10b.
It might be feasible to harmonise both the determination of NBLs and TVs between MSs, but this is not obvious from the information given in the report. A uniform procedure for determination of NBLs might help MSs who has not yet performed this work. For MSs who has already managed this work it would probably be both costly and of little use if it would be mandatory to redo this to use a uniform method, maybe less feasible for local conditions. It would be an advantage if NBLs are not taken into account in the setting of TVs but TVs are related to thresholds for humans and ecosystems, which leads to more comparable results. TVs are probably more important for receptors, unless the environment is adapted to high concentrations due to a long history.

11b.
All this information is relevant, but for MSs with only groundwater bodies not at risk it might not be mandatory to give the NBLs. According to earlier answers it might be an advantage for the harmonisation to make TVs less dependent on NBLs if possible. Though, reporting NBLs could be relevant also for non naturally-occurring substances, as long range atmospheric deposition has resulted in general pollution, difficult to handle at the local level, for several substances. If MSs report relevant information concerning toxicology, eco-toxicology etc this would give good background data for further amendments of the directive.

11c.
The expensive and difficult (or even non-feasible) part is to manage measures to improve the groundwater quality, where exceedances of TVs and EQSs are found. International measures might be needed for substances reaching groundwater bodies from long range atmospheric transport or materials/goods/articles used by the society, and where no information is available on sources and emissions.

12a.
All these specifications are relevant as mandatory, as long as the knowledge gaps makes comparisons between MSs impossible. For all MSs it would be good to be able to compare

the situation and conditions with results from other MSs, why increased reporting, visibility and transparency would be an advantage. This might be handled by a common database.

12b.
This information has to be gathered by MSs anyhow why it should be feasible to report, and not connected to high extra costs. Benefits are described under 12a and under 11c (if international measures are being performed, when needed).

13a.
No, this should not be obligatory if TVs are low and NBLs are not needed to explain deviations.

13b.
It would be an advantage if also the methodology for deriving NBLs were transparent, why reporting would be a benefit. If NBLs are developed, reporting the methodology should not be connected to a high extra cost.

14a.
It should be mandatory to report reasons and explanations when TVs are not reported, as this is a central part to manage assessments.

14b.
This information is crucial, and it should be feasible to report this. If MSs have made judgements related to TVs it should not be related to too high extra costs to report the reason why TVs are not reported.

15a.
Increased transparency would be an advantage, especially when similar problems exist for different MSs and when joint solutions would be good to develop. As no MSs has an intention to deteriorating its groundwater quality, the idea should be to use this information to help MSs ameliorating their groundwater quality. This option should be possible to combine with the option C2 related to amendments of Annex II part C, in the background document, but depending on reporting structure it is a question how much of this information that is feasible to report.

15b.
For feasibility and benefits see 15a, for costs see comment 17b.

17a.
As environmental chemical monitoring data is normally gathered locally and in national languages it would be a benefit to have a common database. It is more feasible to establish a voluntary mechanism for gathering of monitoring data, than to make this compulsory. If it is found that the reporting quantity or quality is too low, this could be made compulsory later.

17b.
Over all the feasibility is quite low, as data will require high quantities of metadata to be useful. If this data gathering is managed, the cost would be quite large, but the future benefit will also be high, as data gaps are today one of the largest obstacles when it comes to the development of the GWD.

18b.
If a substance has never been used in a MS and monitoring results at similar sampling points supports that there is no occurrence, such a substance in Annex II Part B should not be made mandatory to monitor at all groundwater bodies. The occurrence should also influence sampling frequency, duration and spatial distribution. Threshold values should be developed in relation to risks of effects; on groundwater depending ecosystems or surfacewater bodies in risk of not reaching good status or if the opportunity to use groundwater is in risk of being impaired.

18c.
It is not feasible or financially reasonable to have a monitoring program that is larger than what MSs are able to use data from. New or emerging pollutants would be more interesting to add than to analyse known substances at low concentrations.

19.
It is easier to encourage voluntary deliveries if there is a positive response. Researchers would be interested in this data, but as it is expensive to produce monitoring data and time consuming to report data into complicated systems it is important to make this operation as simple as possible for those reporting, and preferable with some kind of incentive.

Slut.