Discharges of Dangerous Substance Directive

76/464/EEC

and “daughter” directives
Existing legislation

• Old generation
  – Five specific Daughter Directives
• New generation
  – Decision 2455/2001 – amending Annex X of the WFD
“Daughter Directives”

- 82/176/EEC: Mercury (only chlor-alkali electrolysis industry)
- 83/513/EEC: Cadmium
- 84/156/EEC: Mercury (all other sectors)
- 84/491/EEC: Hexachlorocyclohexane
- 86/280/EEC: Dangerous Substances Discharges:
  - Carbon tetrachloride
  - DDT
  - Pentachlorophenol
    (as amended by 88/347/EEC)
  - Aldrin, Dieldrin, Endrin and Isodrin
  - Hexachlorobenzene
  - Hexachlorobutadiene
    (as amended by 90/415/EEC)
  - Chloroform
  - 1,2-dichloroethane (EDC)
  - Trichloroethylene (TRI)
  - Perchloroethylene (PER)
  - Trichlorobenzene (TCB) incl. 1,2,4-TCB
Which hazardous substances are we talking about?

- **76/464/EEC**
  - Dangerous substances
  - “List I”
    - The 18 substances regulated under “so called daughter Directives”
    - “PBT”
  - “List II”
  - Priority substances:
    - “presenting a significant risk to or via the aquatic environment”
    - *included in annex X WFD*
  - Hazardous substances (or priority hazardous substances):  
    - PBT or other equivalent concern
    - *Part of the priority substances in annex X WFD*
  - Other pollutants:
    - “any substance liable to cause pollution”
    - Identified by river basin
    - *categories included in annex VIII*
Candidate list of 139 list II Substances

- 25 individual substances listed as List II in DSD (e.g. Pb, Ni, P, N etc)
- 15 Candidate List I (1990 proposal)
- Some of the 139 are PS under WFD
• Inland surface waters, internal coastal waters and territorial waters

• Discharges causing pollution (broad definition by the EC Court)
  – Exemptions: discharges from dredgings, operational discharges from ships in territorial waters, dumping from ships in territorial waters.

• Pollution is defined as damaging human health, living resources, aquatic ecosystems, other legitimate uses of water resources.
Objectives - Art. 2
Instruments list I – Art.3

• Elimination of pollution of surface waters from list I substances
• Limitation of pollution of surface waters from list II substances – see Art. 7
• Authorisations of discharges containing list I substances in accordance to Art. 5 and 6
Community action on list I - Article 6

- Commission to propose legislation laying down:
  - Emission limit values for emission standards (concentrations and loads)
  - Quality objectives for surface waters
- Article repealed in 2000 by the WFD
- “Daughter” directives are in force
“Daughter Directives”

- List I substances – aim to eliminate pollution
- Substance and sector specific emission limit values (ELVS)
- Alternative approach: Quality Objectives
- Other sectors – minimum requirements
- Control of diffuse and multiple sources
- Emission inventory
- New installations – Best available techniques
- WFD art 16 suggest review, replacement and repeal...
Pollution Reduction Programmes for list II - Article 7

- List II substances – reduce pollution
- Identification of relevant substances
  - Emissions inventory – point & diffuse sources
  - Thorough screening of quality of surface waters
- Monitoring network
- Prior authorisation of discharges
- Composition and use of substances to be controlled
- Establishment of quality objectives
- Comprehensive legislative framework
- Publicly available
Additional Information


Several studies on the implementation of Directive 76/464/EEC including:

- Pollution Reduction Programmes in Europe

On selection of substances see WFD IMPRESS Guidance No. 3