

Update on Commission activities of interest to IMPEL

State of 30/11/2020

Industry & Air:

Industrial Emissions Directive (IPPC, LCP, VOC, WI and TD Directives)

The Industrial Emissions Directive (IED) (2010/75/EU) entered into force in 2011. The Commission effort is focussed on ensuring correct implementation by EU Member States.

In addition to previous general Commission Implementing Decisions, a new IED reporting Decision was adopted in 2018 ((EU) 2018/1135) which establishes the new type, format and frequency of reporting.

BAT conclusions

BAT conclusions for the Surface Treatment Using Organic Solvents including Wood and Wood Products Preservation with Chemical, have been adopted by the Commission in March 2020 and will be published in the Official Journal in November/December 2020.

This brings the number of BAT conclusions adopted under the IED to 17.

The European Integrated Pollution Prevention and Control Bureau is currently working on BREFs for Ferrous Metal Processing; Slaughterhouses and animal by-products; Textiles; Smitheries and foundries; Waste gases from the chemical sector and Ceramics. In 2021 launch of the review of the BREF for Large Volume Inorganic Chemicals will take place.

Evaluation of the Industrial Emissions Directive

This Commission published in September 2020 the Staff Working Document on the evaluation of the IED

Furthermore the Commission has launched the revision of both the IED and the E-PRTR regulation. The supporting impact assessment processes are ongoing.

Full information is available here and will be update as consultation activities take place:

<https://ec.europa.eu/environment/industry/stationary/ied/evaluation.htm> and

<https://ec.europa.eu/environment/industry/stationary/e-prtr/evaluation.htm>

Industrial Emissions Directive Implementation support

The Commission carried out support activities during 2018 – 2020 with the assistance of a contractor. The project was called: *Implementation support for the Industrial Emissions Directive*. The support provided to the Member States was carried out using a number of different mechanisms, such as:

- Development and maintenance of an on-line platform open to Member State competent authorities to store and share implementation information including good practice. There are currently 248 participants and it is at: <https://circabc.europa.eu/ui/group/438f9a4e-aecf-41a9-8a2a-4b2bca52d5c6>
- Collation and summary of good practices related to specific implementation challenges identified in the study.

- Organisation and delivery of webinars and workshops related to specific BAT conclusions as well as to general IED issues

Webinars and workshops were focused on such subjects:

- BAT-AELs, AE(P)Ls and setting ELVs in permits.
- Permitting emissions to water under the IED.
- Assessment of compliance with Emission Limit Values set out in the IED.
- Implementation of BATC for sectors: Waste Treatment, Intensive Rearing of Poultry and Pigs, Food, Drink and Milk Industries.

Final report from this project can be found here: <https://circabc.europa.eu/ui/group/06f33a94-9829-4eee-b187-21bb783a0fbf/library/addf4693-ab1a-4c48-9ba8-5cc99f6cfdb0/details>

Having in mind the positive reception of the above mentioned project as well as further need to support the Member States in the implementation of the IED, the Commission will launch a similar project for 2020-2024. More information available here: https://circabc.europa.eu/ui/group/06f33a94-9829-4eee-b187-21bb783a0fbf/library/d8c06d29-934d-4a70-bc15-414fa8c587e7?p=1&n=10&sort=modified_DESC

Industrial Emissions Directive permit assessment

In 2019-2020 the Commission carried out two pilot projects aimed to better understand how Member State competent authorities use BAT conclusions to set permit conditions for installations. First project covered 99 permits from cement facilities across 24 Member States and 24 permits from iron and steel facilities using Electric Arc Furnaces (EAFs) across 18 Member States. Project assessed how Member State competent authorities have set permit ELVs (Emission Limit Values) with regard to the range of BAT-AELs (associated emission levels) for 12 selected BAT statements.

Aim of the second project was to assess how stringently Member State competent authorities set permit conditions based non-AEL BAT conclusions. Sample was 31 permits from cement plants (at least one per Member State).

Final report from the first project is already available on CIRCABC ([An Assessment of IED Permitting Stringency](#)), from the 2nd will be published in November 2020.

Experience and knowledge from these two pilot projects have given interesting new insights into IED implementation, which led to launch of the new project to further develop this approach to assess how specific aspects of BAT conclusions have been translated into IED permit conditions. It will cover different industrial sectors: manufacture of glass; production of pulp, paper and board; wood-based panel production; non-ferrous metals industries. Project will focus on BAT-AELs as well as on non-AEL ('narrative') BAT. Project launched in November 2020 will last until the middle of 2021.

Moreover in November 2020, launch of the project called: *Assessment of the permits of ex-TNP plants* take place. This project aims to apply the approach tested in the above mentioned pilot projects to permits issued for LCPs. The assessment of the setting of ELVs by competent authorities in permits and how these relate to the IED Annex V and BAT-AEL ranges in the LCP BAT conclusions are to be complemented with an assessment of emissions monitoring provisions and publicly available results. Project will be finished in April 2021.

Industrial Emissions Directive study reports

A number of different aspects of implementation of the IED have been explored and the reports on these are available on CIRCABC at: https://circabc.europa.eu/ui/group/06f33a94-9829-4eee-b187-21bb783a0fbf/library/36379180-c0a6-4b66-9019-64a5a0229116?p=1&n=10&sort=modified_DESC

Questions answered by DG Environment about the Industrial Emissions Directive

A number of answers to questions about implementation of the IED have been provided by DG Environment. These are available on CIRCABC at:

https://circabc.europa.eu/ui/group/06f33a94-9829-4eee-b187-21bb783a0fbf/library/cbcfa4fc-cb8e-4cd7-bf7a-cbba10c28fb4?p=1&n=10&sort=modified_DESC

General information on the Industrial Emissions Directive

Further information can be found on the industrial emissions section of Europa: <http://ec.europa.eu/environment/industry/stationary/index.htm>.

Seveso III Directive

Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances, also known as the Seveso-III directive, is internationally recognised as a key and successful instrument for preventing accidents and minimising their effects. The directive has been updated regularly in the aftermath of large accidents where the lessons learned from those accidents pointed to needed improvement of the legislative framework.

The EU Seveso III directive provides a detailed framework for Member States to ensure that industrial establishments handling large amounts of hazardous chemicals develop and implement accident prevention and preparedness measures as well as emergency plans.

Directive 2012/18/EU was published in the Official Journal on 24 July 2012. The deadline for transposition in national law was the 1st of June 2015. In December 2014, the Commission adopted two implementing acts on the formats in which Member States have to communicate information on implementation of the Directive and on Seveso establishments.

The European Commission continuously monitors the state of implementation of the Directive, via the so called Seveso Monitoring System. Components of the current monitoring system are:

1. Member state implementation reports (every 4 years). Reporting is done according to the reporting template established by implementing act (2014/896/EU);
2. The information reported by the Member States on the Seveso establishments in their territory. This is done via the electronic Seveso Plants Information Retrieval System (eSPIRS) according to the template established via implementing act (2014/895/EU). Information is publicly available;
3. Reporting following the occurrence of a major accident with the objective to facilitate lesson learning. Reporting is done via the electronic Major Accident Reporting System (eMARS).

This information is supplemented with information on complaints and infringements. Furthermore, the Commission performs conformity studies to verify the correct transposition of the Directive into national legislation. In October 2019, letters of formal notice were sent to

four Member States. Since the Commission continuously monitors the transposition and implementation status of the Seveso-III Directive, additional letters of formal notice to other Member States cannot be excluded.

The Commission also regularly analyses disseminates lessons learned from chemical accidents.

The lessons learned analyses and eMARS and eSPIRS databases are publicly available on the Minerva website (<https://minerva.jrc.ec.europa.eu/en/minerva>) managed by the MAHB (Major Accident Hazard Bureau, part of JRC). This site also hosts additional analyses and tools supporting the EU policy on the control of major chemical hazards, including good practices and common inspection criteria for inspectors, and the JRC's ADAM consequence analysis tool.

Finally, to facilitate the interpretation and implementation, the Commission holds regular meetings of the Committee of Competent Authorities and of the Seveso Expert Group (SEG). The objective of the SEG is to facilitate the exchange of information and knowledge, as well as promoting a harmonised implementation of the Seveso-III-Directive. Information on the SEG is made available via the Commission's CIRCABC website.

Hydrocarbons guidance document

The Commission organised an [exchange of information](#) to identify best available approaches for risk management and best available techniques for the mitigation of environmental risk and impacts of the upstream hydrocarbons sector. This exchange of information involved EU Member States, the industries concerned and non-governmental organisations promoting environmental protection and is an opportunity to set out a level, predictable and transparent playing field for oil and gas activities; to help address public concerns on domestic oil and gas production; to facilitate dialogue with and among competent authorities.

This project was launched in October 2015 and the final meeting of the Technical Working Group took place on 12-15 November 2018. The English version of the guidance document was published on 9 April 2019 and translations in 17 languages were made available on 16 November 2020. More details can be found at http://ec.europa.eu/environment/integration/energy/hydrocarbons_extraction_en.htm and at <https://op.europa.eu/en/publication-detail/-/publication/f9265d2b-574d-11e9-a8ed-01aa75ed71a1/language-en/format-PDF/source-172257525>.

Ambient Air Quality Directive(s)

Clean air is an essential need for all of us. Our health, our environment, even our economy depend on it. And yet, estimates point to more than 400 000 premature deaths in the European Union each year as a consequence of poor air quality – especially due to exposure to fine particulate matter, to nitrogen dioxide and to ozone.

Against this background, the Ambient Air Quality Directives (2008/50/EC and 2004/107/EC, as amended by Commission Directive (EU) 2015/1480) set monitoring requirements and maximum concentrations of key pollutants to be attained across all Member States. These standards are guided by scientific advice given by the World Health Organization, even if they in several instances are not set to be as stringent.

The Commission remains concerned about the overall pace of progress of Member States in achieving the limit values set by the Ambient Air Quality Directives. In May 2018, the Commission adopted a Communication ‘A Europe that protects: Clean air for all’ (COM(2018)330 final) that provides national, regional and local actors practical help to improve air quality in Europe. The Communication also provided a full list of Member States facing infringement proceedings due to persistent exceedances of air quality standards for NO₂, PM₁₀ and SO₂ – and updated this list in the recent fitness check of the Ambient Air Quality Directives, in SWD(2019) 427 final.

The Commission continued its enforcement action as announced in its Communication ‘Clean air for all’, which also includes referrals to the Court of Justice of the European Union as warranted. The infringement procedures now include 32 infringement cases covering 3 pollutants, addressing 18 Member States (plus the United Kingdom). More concretely, infringement proceedings are ongoing in relation to persistent exceedances of NO₂ limit values in 14 cases against 13 Member States (plus the United Kingdom), in relation to persistent exceedances of PM_{2.5} and PM₁₀ limit values in 15 cases against 14 Member States, in relation to persistent exceedances of SO₂ limit values against 1 Member State and in relation to deficiencies in the monitoring network against 2 Member States.

To date, out of the 18 Member States facing infringement, 8 Member States plus the United Kingdom have been referred to the Court of Justice of the European Union for failing to meet air quality standards (5 referrals related to NO₂, 5 referrals related to PM₁₀ and 1 referral related to SO₂). In 2020, the Court of Justice of the European Union delivered judgments against two Member States in relation to PM₁₀ limit values (Case C-638/18 and C-644/18). This follows previous judgments against 3 other Member States: in 2017 (Case C-488/15) and 2018 (Case C-336/16) in relation to persistent exceedances of PM₁₀ limit values as well as in 2019 (Case C-636/18) in relation to persistent exceedances of NO₂ limit values.

In November 2019, the European Commission published the results of the Fitness Check of the Ambient Air Quality Directives (2008/50/EC and 2004/107/EC), focusing on the period from 2008 to 2018 (SWD(2019) 427 final). The results of the Fitness Check as well as all the underpinning material in relation to this process, including summaries of stakeholder views, is available here: https://ec.europa.eu/environment/air/quality/aqd_fitness_check_en.htm

Subsequently, the European Green Deal (COM(2019) 640 final) announced in the framework of the zero pollution ambition for a toxic-free environment, that the European Commission would draw on the lessons learnt from the Fitness Check and propose to strengthen provisions on monitoring, modelling and air quality plans to help local authorities achieve cleaner air, as well as to revise EU air quality standards to align them more closely with the World Health Organization (WHO) recommendations. For this purpose, a new initiative - “Air quality: revision of EU rules” has been published on the “Have your say” portal on the following link: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12677-Revision-of-EU-Ambient-Air-Quality-legislation>

National Emission Reduction Commitments Directive

The National Emission Reduction Commitments Directive (NECD), Directive (EU) 2016/2284 of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants, entered into force on 31 December 2016 and had to be transposed by 1 July 2018. Meanwhile, all Member States have informed the Commission of transposition of the Directive into national law.

The Directive incorporates into EU law the 2020 onwards reduction commitments for SO₂, NO_x, PM_{2.5}, NMVOC and NH₃ agreed under the revised Gothenburg Protocol. It also sets further reduction commitments for 2030 onwards for the same pollutants which are estimated to reduce the health impacts of air pollution in the EU by almost 50% compared with 2005.

In line with the obligations in Article 14(3) of the Directive, the Commission published on its website the assumptions underlying the analysis for the Commission proposal and related reduction commitments, and the list of source legislation relevant to the NECD implementation. This was further complemented and updated by the publication of the First Clean Air Outlook report in June 2018. The Second Clean Air Outlook is under preparation and will be published around the end of 2020.

Key aspects of implementation of the NECD are the preparation of the national emission inventories and projections, and the development of National Air Pollution Control Programmes (NAPCP) by the Member States. The review of emission inventories has been carried out annually since 2017, conducted by the Commission in cooperation with the European Environment Agency (EEA), and supported by external contractors. The review covers all Member States and sectors, with a focus on the five pollutants for which reduction commitments are set, and the years 2005, 2010 and 2015 and after. There is a rolling programme of reviews of the other reporting obligations under the NECD, with a focus on national emission inventories of gridded data in 2020. In 2021, there will be a focus on national emission inventories of CO, PM₁₀ and Black Carbon. The list of applications from Member States for inventory adjustments is published on the Commission website, as well as the technical reports on these applications together with any Commission Decision in case of refusing such a request.

The national emission projections, covering the years 2020, 2025 and 2030, are submitted and reviewed every two years as from 2017. These projections provide estimates per pollutant and source sector in view of meeting the emission reduction commitments in 2020 and 2030.. The results of the 2019 projections review have been published on the Commission website.

The first NAPCP had to be submitted to the Commission by the Member States by 1 April 2019. All but four Member States have provided final NAPCP. The NAPCP can be consulted here: <https://ec.europa.eu/environment/air/reduction/NAPCP.htm>. Infringement procedures have been initiated against those Member States that have failed to submit a final NAPCP. The analysis of the NAPCP has been carried out by the Commission in cooperation with the EEA and supported by an external contractor.

The Commission adopted its first report to the European Parliament and to the Council on the implementation of the NECD (COM/2020/266 final) in June 2020. While the results of the NAPCP analysis constitutes an important contribution to the report, it also addresses progress made regarding the implementation of other Member State and Commission obligations under the Directive.

The Directive requires Member States to monitor the effects of air pollution on ecosystems, with the monitoring network to be reported by 1 July 2018 and the monitoring data by 1 July 2019. The submitted data has been analysed and the results have been made available on the Commission website. The Commission has prepared a guidance notice (Commission Communication 2019/C92/01) on the implementation of these provisions in cooperation with Member States, the EEA and the International Cooperative Programmes of the Convention on Long-Range Transboundary Air Pollution.

To facilitate implementation of the Directive, the Commission holds regular meetings of the NECD expert group (at least twice a year), and of a dedicated sub-group on ecosystem monitoring.

The Directive also introduced the European Clean Air Forum to support overall clean air policy and legislation implementation, bringing together all relevant stakeholders, to exchange experience and good practice. The first Clean Air Forum took place in Paris in November 2017 and the second one in Bratislava in November 2019. The next Clean Air Forum is planned for 2021.

More information is available on: https://ec.europa.eu/environment/air/index_en.htm

Waste & TFS:

WEEE Directive

The new WEEE Directive 2012/19/EU which became effective on 14 February 2014 introduced a collection target of 45% of electronic equipment sold in the three preceding years that applies from 2016 and, as a second step from 2019, a target of 65% of equipment sold in the three preceding years, or 85% of electronic waste generated.

The Commission is monitoring the implementation of WEEE collection targets and in 2016/2017 carried out a compliance promotion initiative to identify gaps and good practices in the 'real life' implementation of the Directive. The compliance promotion initiative, assisted by a study investigated the situation as regards the implementation of the WEEE Directive and the achievement of the targets with targeted seminars in Member States. Challenges and good practices applied by Member States were identified with a view to achieving the collection targets notably, but also in relation to improving enforcement and countering uncompliant WEEE collection and treatment and illegal trade. The study involved all Member States and relevant stakeholders (including IMPEL) and was concluded in December 2017, providing fact sheets for WEEE Management in all Member States and targeted policy fiches for 8 selected Member States more closely assessed, as well as generally applicable good practice recommendations¹. In the following, Member States were encouraged to deepen the sharing of good practice and learning from each other, inter alia by taking recourse to the Peer-to-Peer mechanism².

An ongoing study on quality standards for the treatment of WEEE in Member States aims to provide an assessment of options to lay down minimum requirements for WEEE treatment and to further harmonise WEEE legislation in the EU. The results of the study are due to be delivered in October 2020.

Illegal shipments of WEEE remain a serious problem, especially when disguised as legal shipments of used equipment to circumvent EU and international waste treatment and shipment rules. The WEEE Directive 2012/19/EU gives Member States the tools to address the illegal export of waste more effectively through specific requirements in its Annex VI to prevent shipments of non-functional equipment to developing countries. The Directive thereby gives national inspectors the tools to block a shipment if they suspect that it is de facto an illegal export of waste. This is also a reversal of the "burden of proof" – as it is now to the holder of the equipment being exported to demonstrate that it is functional, and not waste.

¹ <https://op.europa.eu/en/publication-detail/-/publication/09c7215a-49c5-11e8-be1d-01aa75ed71a1/language-en>

² https://ec.europa.eu/regional_policy/en/policy/how/improving-investment/taix-regio-peer-2-peer

With regard to improving the fight against environmental crime, the Commission cooperates with EU environmental enforcement networks and other relevant European and international organisations such as Europol, Interpol and Eurojust, and contributes with its expertise and continues to stand ready for reinforced co-operation.

In February 2019, an Implementing Decision was adopted on establishing a harmonized format for the registration and reporting of producers of electrical and electronic equipment (EEE) to national registers³. Producers of EEE are required to be registered in each country they operate in and to report on, inter alia, electrical and electronic equipment placed on the market. Adopting a common format applicable across the EU for the information to be communicated to the national registers has been a big step in harmonizing processes, reducing administrative burdens and holding producers accountable for the EEE they place on the market. This Implementing Decision also assists in keeping track of EEE sold abroad and hence contributes to addressing issues of “free riding” and non-compliance, especially for distance sellers.

In December 2019, an Implementing Decision was adopted laying down rules for the calculation, verification and reporting of data and establishing data formats for the purposes of Directive 2012/19/EU⁴. Member States have to report to Eurostat on the quantities and categories of EEE placed on their markets, collected through all routes, prepared for re-use, recycled and recovered within the Member State, as well as on separately collected WEEE exported, by weight. This Implementing Decision sets the rules for the calculation the minimum recovery targets referred to in Article 11(1) of Directive 2012/19/EU and thus ensures harmonisation. In addition, by establishing the data formats to be used by Member States, it ensures that the reported data provides a sound basis for verifying and monitoring the attainment of the minimum targets for the collection and the recovery of WEEE set out in Directive 2012/19/EU.

Finally, this Implementing Decision, by establishing the format for a quality check report, to accompany the data reported by Member States, enables the Commission to review comparable data, including organisation of the data collection, the sources of data, the methodology used for the calculation of the WEEE collection rate, the description of any substantiated estimates, as well as the completeness, reliability, timeliness and consistency.

RoHS Directive – Review of Annexes on exemptions and restricted substances

Union legislation restricting the use of hazardous substances in electrical and electronic equipment (EEE) has been in place since February 2003. It complements EU rules regarding waste electrical and electronic equipment (Directive 2012/19/EU on WEEE) and addresses

³ Commission Implementing Regulation (EU) 2019/290 of 19 February 2019 establishing the format for registration and reporting of producers of electrical and electronic equipment to the register. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2019.048.01.0006.01.ENG&toc=OJ:L:2019:048:TOC

⁴ Commission Implementing Regulation (EU) 2019/2193 of 17 December 2019 laying down rules for the calculation, verification and reporting of data and establishing data formats for the purposes of Directive 2012/19/EU of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE): <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1584719987321&uri=CELEX:32019D2193>

the waste management challenges stemming from the use of hazardous substances in such equipment. In 2011, the then existing Directive on hazardous substances in EEE was revised, leading to adoption of Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS).

Since its entry into force, the scope of the RoHS Directive has been widened, both with regard to the substances, as well as the EEE covered. Currently, ten substances and their compounds are restricted under Annex II of the Directive: mercury, cadmium, lead, chromium VI, polybrominated biphenyls (PBB) and polybrominated diphenyl ethers (PBDE), Bis(2-ethylhexyl) phthalate (DEHP), Butyl benzyl phthalate (BBP), Dibutyl phthalate (DBP), and Diisobutyl phthalate (DIBP).

All products with electrical or electronic components have to comply with the RoHS Directive when placed on the Union market, unless they are explicitly excluded from its scope.

The Commission receives numerous⁵ requests from economic operators to grant or renew exemptions according to Article 5(3) and Annex V to RoHS. The evaluation procedure for these exemptions includes an assessment report that is published on the RoHS website⁶. The decisions on exemptions are taken by the Commission by means of individual delegated directives to amend Annexes III and IV of the RoHS Directive for scientific and technical progress adaptation purposes. A table providing an overview of Annex III and IV exemptions, their validity status and rolling plan is uploaded and regularly updated on the website⁷.

The RoHS Directive requires, under Article 24 (2) that the Commission to carry out a general review of the Directive no later than 22 July 2021. Due to the current circumstances, a report, accompanied, by if appropriate, a legislative proposal, shall be presented by the Commission to the European Parliament and the Council by 2022.

The evaluation of Directive 2011/65/EU (RoHS) is close to completion due to be finalised before the end of 2020. In the course of that process a body of evidence has been gathered about the operationalisation of the existing legal framework in Member States. The results of this evaluation will be presented in a Commission Report, in a form of a Staff Working Document and will be followed by an Impact Assessment of the options from economic, environmental and social standpoints.

ELV Directive

The Commission's ex-post evaluation of the waste streams directives which was published in 2014 (http://ec.europa.eu/environment/circular-economy/index_en.htm), highlighted that enforcement needs to be addressed as a priority for the ELV Directive, as well as for other waste stream directives. Following up on the results of previous studies carried out which

⁵ The list of exemption requests submitted to the Commission between November 2019 and January 2020 http://ec.europa.eu/environment/waste/rohs_eee/adaptation_en.htm.

⁶ Assessment studies on exemptions: https://ec.europa.eu/environment/waste/rohs_eee/studies_rohs1_en.htm

⁷RoHS 2 exemptions - Validity and rolling plan Version 17/04/2020
https://ec.europa.eu/environment/waste/rohs_eee/pdf/Copy%20of%20Exemptions%20list%20-%20validity%20and%20rolling%20plan_17Apr%2020_public.xlsx

pointed out that around 3.5 to 4.5 million ELVs were missing in the EU⁸, the Commission carried out a study on the implementation of Directive 2000/53/EC on end-of life vehicles (the ELV Directive) with emphasis on the end-of life vehicles of unknown whereabouts.

The consultant's recommendations have been considered in the evaluation of the ELV Directive⁹ which has now been finalised. The consultant's report has been published and the Commission is now preparing the Staff Working Document (the Commission's evaluation report) aiming for its publication before the end of 2020. Cooperation of national authorities, in particular those responsible for the registration/deregistration of vehicles, is highlighted as well as inspections of Authorised Treatment Facilities (ATFs) and exports of used but really waste vehicles.

The evaluation will be followed by an Impact Assessment to help the Commission draft the proposal for the review of the Directive. The roadmap to the IA has been published for public feedback and will remain open until 19 November 2020: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12633-Revision-of-EU-legislation-on-end-of-life-vehicles>.

In addition, the Guidelines for Waste Vehicles¹⁰ agreed in July 2011 by the Waste Shipment Correspondents ("Correspondents Guidelines No 9") are in use since 1 September 2011, aiming to tackle the illegal export of ELVs. These guidelines are currently legally binding only in Austria. Better use of these correspondence guidelines should be made, an issue that is also being considered as part of the follow up to be given under the compliance promotion initiative.

Also Germany carried out a study on "Development of proposals, including legal instruments, to improve the data situation on the whereabouts of end-of-life vehicles" and the final report has been published on: <http://www.umweltbundesamt.de/en/publikationen/development-of-proposals-including-legal>. Despite the adjustments due to statistical errors, there are still about 500.000 missing ELVs in Germany.

The tri-annual implementation reports for 2008-2011 and 2011-2014¹¹ on the ELV Directive in the Member States were published. The Commission will publish before the end of 2019 the tri-annual implementation report for 2015-2017. This will be the last implementation report as these report stopped following the amendment of the ELV Directive by Directive 2018/849.

The amendment of the Commission Decision 2005/293/EC on the monitoring of the ELV reuse/recycling/recovery targets has been postponed after the review of the ELV Directive.

The Commission also emphasized the importance of the market surveillance for the banned hazardous substances in the ELV Directive in a meeting of the type-approval authorities of the Member States. The Regulation on the approval and market surveillance of motor vehicles and their trailers, and the systems, components and separate technical units intended for such

⁸ https://ec.europa.eu/clima/policies/transport/vehicles/cars_en#tab-0-2

⁹ https://ec.europa.eu/environment/waste/elv/review_en.htm

¹⁰ <http://ec.europa.eu/environment/waste/shipments/guidance.htm>

¹¹ http://ec.europa.eu/environment/waste/elv/implementation_en.htm

vehicles¹² is in force since 1 September 2020. Adopted in May 2018, the new Regulation significantly overhauls and tightens the previous type approval and market surveillance system. It improves the quality and independence of vehicle type-approval and testing, increases checks of cars already on the EU market and strengthens the overall system with greater European oversight. The reinforced market-surveillance on the new cars will also check compliance with the ELV rules, in particular the hazardous substances used in cars.

Finally, cooperation between police and environmental authorities is already in place in some Member States regarding, for instance, the inspection of the ELV Treatment Facilities.

Batteries Directive

We apologise for the fact that we have not been able this year to present an update on the above subject.

Packaging and Packaging Waste Directive

Directive 94/62/EC as last amended in 2018, aims to harmonize national measures on the management of packaging and packaging waste. Its objective is to prevent any impact thereof on the environment, or to reduce such impact, and to ensure the functioning of the internal market.

To this end, the Directive lays down measures aimed, as a first priority, at preventing the generation of packaging waste (Art. 4) but then lists, as additional fundamental principles, measures for reusing packaging (Art. 5), increasing recycling (Art. 6 and 6a) and other forms of recovery of packaging waste.

The Directive covers all packaging and packaging waste.

It obliges Member States to ensure that systems are set up for the return and/or collection of used packaging and/or packaging waste from the consumer, other final user, or from the waste stream, as well as systems for reuse or recovery including recycling of the packaging and/or packaging waste collected. Such systems must be open to the participation of all economic operators and all public authorities. They shall apply to imported products under non-discriminatory conditions. In 2009, the Commission adopted a Communication – beverage packaging, deposit systems and free movement of goods (2009/C 107/01) in order to guide the Member States in finding the right balance between the environmental and internal market interests when setting up of deposit and return systems for beverage packaging.

The Directive was amended in 2015 to provide for obligation of the Member States to take measures to achieve a sustained reduction in the consumption of lightweight plastic carrier bags on their territory. These measures may include national reduction targets, economic instruments and marketing restrictions in derogation to Art. 18 PPWD. While the Directive does not set targets at the EU level, its provisions correspond to an objective to achieve a 50% reduction by 2019 and 80% reduction by 2025 of the lightweight plastic carrier bags put on the Member States' markets. First Member States data will be available in mid-2020. The

¹² OJ L 151 of 14.6.2018, p. 1

Commission will assess the effectiveness of the measures taken by the Member States by end of 2021.

The Directive also sets packaging waste recycling targets. Following the last revision in 2018 ([Directive \(EU\) 2018/852](#)¹³), Member States shall recycle, by 2025, a minimum of 65% by weight of all packaging waste put on market of a Member State in a year. By 2030, this target shall increase to 70%. The current target, which had to be reached in 2008, 55%. Material specific targets by weight are provided for plastic, wood, ferrous metals, aluminium, glass, paper and cardboard. The target for plastic packaging recycled was doubled from current 22.5% to 50% in 2025 and 55% in 2030. Reuse of sales packaging can be counted up to 5% towards the recycling targets.

Packaging waste exported outside the EU can count towards the achievement of these targets only if there is sound evidence that recovery / recycling has taken place under conditions broadly equivalent to those prescribed by the relevant EU legislation.

Packaging may be placed on the EU market only if it complies with the essential requirements as listed in Articles 9 and 11 and Annex II of the Directive. They relate to the manufacturing and composition of packaging, the reusable nature of packaging and the recoverable nature of packaging through material recycling, energy recovery, composting or biodegradation. Packaging producers must be able to demonstrate compliance with these requirements; using related harmonized standards creates a presumption of compliance. The harmonized standards currently cover prevention by source reduction, presence of four heavy metals (lead, cadmium, mercury and hexavalent chromium), minimization of dangerous substances or preparations, reuse and recovery (material, energy or organic).

As a result of the 2018 amendment of the Directive, the Commission is tasked to examine the feasibility of reinforcing the essential requirements with a view to, *inter alia* improving design for reuse and promoting high quality recycling, as well as strengthening their enforcement. A study to support this process was launched in 2018 and was [published in February 2020](#)¹⁴. The study is being followed by an impact assessment support study, which includes [an open public consultation](#); the Commission envisages adopting the legislative proposal by the end of 2021.

The review of the Directive, however, is broader than just the revision of the essential requirements for packaging. It is also based on the Commission's political commitment in the [European Green Deal](#)¹⁵ to consider targets and measures to reduce over-packaging and packaging waste generation.

The new **Circular Economy Action Plan** ([CEAP](#)¹⁶) as adopted by the Commission in March 2020, further specified these commitments and added that in addition to the revision of the essential requirements focused on ensuring that all packaging is reusable and recyclable by 2030, “the Commission will consider other measures, with a focus on:

¹³ *OJ L 150*, 14.6.2018, p. 141–154

¹⁴ Effectiveness of the essential requirements for packaging and packaging waste and proposals for reinforcement; <https://op.europa.eu/en/publication-detail/-/publication/05a3dace-8378-11ea-bf12-01aa75ed71a1>

¹⁵ https://ec.europa.eu/info/sites/info/files/european-green-deal-communication_en.pdf

¹⁶ https://ec.europa.eu/commission/presscorner/detail/en/ip_20_420

- reducing (over)packaging and packaging waste, including by setting targets and other waste prevention measures;
- driving design for re-use and recyclability of packaging, including considering restrictions on the use of some packaging materials for certain applications, in particular where alternative reusable products or systems are possible or consumer goods can be handled safely without packaging;
- considering reducing the complexity of packaging materials, including the number of materials and polymers used.”

In the context of this review the Commission will propose mandatory requirement for recycled content for packaging and consider proposing minimum mandatory green public procurement (GPP) criteria and targets for packaging, potentially also relating to recycled content.

The Commission will also assess the feasibility of EU-wide labelling that facilitates the correct separation of packaging waste at source. However, this is not part of the current study on the revision of the PPWD. For this work stream, a separate study(-ies) will be launched in 2021.

The Commission is also working on establishing rules for the safe recycling into food contact materials of plastic materials other than PET. This work is being done by DG SANTE.

Based on the obligation in the Packaging and Packaging Waste Directive as amended in 2018, by the end of 2024, Member States have to establish producer responsibility schemes for all packaging in line with the requirements of the Waste Framework Directive (Directive 2008/98/EC).

The 2018 revision of the Packaging and Packaging Waste Directive also strengthened the provisions on the calculation and reporting by the Member States on the recycling targets. In order to implement these new rules, the Commission adopted in 2019 an [Implementing Commission Decision 2019/665](#) amending Decision 2005/270/EC¹⁷ on rules for the calculation, verification and reporting of data for the calculation of recycling targets for 2025 and 2030, and new formats for data reporting. The decision will be first applicable in for the reporting year 2020, which will be reported to the Commission in mid-2022.

The Decision specifies that only waste that enters the recycling operation, or waste that has achieved end of waste status, should be used for calculation of the recycling target. As a general rule, the measurement of waste should be at the input to the recycling operation. The Decision provides for the calculation points that relate to the input to recycling and the amount of the materials that are actually returned to the economy. The new reporting requirements tighten the rules as regards composite packaging, which were now reported as recycled if their predominant material was subject to recycling, whereas now the reporting will be per material contained in the packaging (with the exception of the 5% *de minimis* threshold). Detailed reporting formats have been provided per material and the new quality check reports will allow in-depth assessment of the data. The Decision also provided for harmonised reporting on metals separated after incineration of packaging waste and for the

¹⁷ Commission Implementing Decision (EU) 2019/665 of 17 April 2019 amending Decision 2005/270/EC establishing the formats relating to the database system pursuant to European Parliament and Council Directive 94/62/EC on packaging and packaging waste : <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019D0665&qid=1605599671308>

reporting on reusable packaging and reusable sales packaging as well as for a method for the calculation of the amount of wooden packaging to be reported for reuse.

In order to further detail and operationalize the new rules, Eurostat published [Guidance for the compilation and reporting of data on packaging and packaging waste according to Decision 2005/270/EC](https://ec.europa.eu/eurostat/documents/342366/351811/Guidance+for+the+compilation+and+reporting+of+data+on+packaging+and+packaging+waste+%E2%80%93+20+May+2020+version)¹⁸ in May 2020.

These new calculation rules will be also the basis for the calculation of the plastic own-resource on the non-recycled plastic packaging waste.

In 2019, the Commission also concluded a study on [Relevance of biodegradable and compostable consumer plastic products and packaging in a circular economy](https://ec.europa.eu/eurostat/documents/342366/351811/Guidance+for+the+compilation+and+reporting+of+data+on+packaging+and+packaging+waste+%E2%80%93+20+May+2020+version)¹⁹. The study is being taken into account in the preparation of the Commission upcoming Communication on the bio-based, biodegradable and compostable plastics and well as in the on-going revision of the Packaging and Packaging Waste Directive. Namely, the Commission intends to define applications for which the use of compostable plastic packaging makes sense from the environmental point of view.

Ship Recycling Regulation

The Ship Recycling Regulation (SRR) entered into force on 30 December 2013 and has been applicable since 31 December 2018²⁰.

The main objective of the SRR is to ensure that large commercial seagoing vessels (above 500 gross tonnage) under EU authority, i.e. those sailing under the flag of an EU Member State, are recycled in a safe and sustainable manner. To this effect, the Regulation requires such ships to be recycled only in safe and environmentally sound facilities included in the European List of ship recycling facilities (hereafter: the EU List). The EU List is open to shipyards globally, with no discrimination on the basis of their country. The relevant criteria for inclusion are the same for all yards (irrespective of their location).

The EU List gets regularly updated. In 2020, there have been two updates (the 6th and 7th edition). At present, the EU List contains 43 shipyards. Of these, 34 facilities are located in EU Member States and Norway, 8 facilities in Turkey and 1 facility in the USA. In addition, there are a number of pending applications for inclusion in the EU List from ship recycling facilities located in India and Turkey. These applications are being thoroughly reviewed and site inspections conducted to check their credentials.

The SRR also prohibits or restricts the installation and use of hazardous materials (like asbestos or ozone-depleting substances) on board of ships. New European ships and EU-flagged ships going for dismantling shall already have on board an inventory of hazardous materials (IHM) specifying the location and quantities of those materials. This obligation will also apply from 31 December 2020 to all existing EU-flagged ships, as well as to ships flying the flag of a third country and calling at an EU port. This will facilitate the recycling of vessels and reduce the presence of toxic materials on board ships.

¹⁸ <https://ec.europa.eu/eurostat/documents/342366/351811/Guidance+for+the+compilation+and+reporting+of+data+on+packaging+and+packaging+waste+%E2%80%93+20+May+2020+version>

¹⁹ <https://op.europa.eu/en/publication-detail/-/publication/3fde3279-77af-11ea-a07e-01aa75ed71a1>

²⁰ As per Article 32(1)(b) of the Ship Recycling Regulation

Following the entry into application of the SRR on 31 December 2018, the focus has been on implementation. The Commission and the European Maritime Safety Agency (EMSA) have been working closely with the EU Member States to assist them in their efforts to implement the SRR, and to ensure that they live up to their responsibilities in correctly applying the provisions of the Regulation. Implementation issues are discussed regularly with Member States at meetings of the Ship Recycling Regulation Committee established pursuant to Article 25 of the Regulation, as well as at meetings of the Experts Group on ship recycling.

In 2019, the Commission launched a horizontal infringement procedure against 9 Member States that had failed to comply with their key obligations under the SRR relating to the designation of national competent authorities and administrations responsible for the implementation of the SRR and/or to the establishment of national enforcement provisions²¹. In 2020, most of these cases have been closed.

In order to facilitate the uniform interpretation and application of the provisions of the SRR, the Commission and EMSA have also developed guidance documents. In November 2016, EMSA published a Best Practice Guidance on the Inventory of Hazardous Materials for practitioners on the field, ship owners and national authorities²². In October 2019, EMSA published another Guidance on inspections of ships by the port States in accordance with Regulation (EU) 1257/2013 on ship recycling²³. In June 2020, the Commission published a notice to stakeholders on the Brexit implications²⁴. In October 2020, the Commission published another notice providing guidelines on the enforcement of the IHM-related obligations, taking into account the exceptional circumstances of the Covid-19 crisis²⁵.

The Commission also seeks to establish effective cooperation with national judges and prosecutors in order to enforce the requirements of the SRR. In the framework of an existing co-operation programme with national judges in the field of environment law, the Commission has contracted ERA (Academy of European Law) to develop a new training module for judges/prosecutors on combating waste crime with an international dimension. This module will also cover the SRR.

In addition, the Commission is also supporting the work and initiatives of various enforcement networks, which are looking into improving implementation and enforcement of EU legislation relating to end-of life vessels (including SRR and WSR).

In June 2019, Europol organised a workshop on illegal shipbreaking, with the participation of investigators from several MS and representatives from Eurojust, IMPEL, EMSA and the Commission. The participants discussed investigative challenges and exchanged views on

²¹ [https://europa.eu/rapid/press-release MEMO-19-2772_en.htm](https://europa.eu/rapid/press-release_MEMO-19-2772_en.htm)

²² <http://www.emsa.europa.eu/emsa-homepage/2-news-a-press-centre/news/3003-emsa-guidance-on-the-inventory-of-hazardous-materials.html>

²³ <http://www.emsa.europa.eu/news-a-press-centre/external-news/item/3721-guidance-on-inspections-of-ships-by-the-port-states-in-accordance-with-regulation-eu-1257-2013-on-ship-recycling.html>

²⁴ https://ec.europa.eu/environment/waste/ships/pdf/Notice%20to%20stakeholders_brexit_ship%20recycling_RE_V1_FINAL.pdf

²⁵ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOC_2020_349_R_0001

specific cases and best practice examples. The examples highlighted the challenges of different legal situations, respectively different interpretation of EU legislation as well as different approaches to sanctioning. There was a wide consensus among participants that this Europol initiative should continue with a follow-up.

The Commission is also fully supportive of the ongoing IMPEL end-of-ship project, which was launched last year and is running until 2021. In September 2019, the Commission participated to the first workshop of this project, which was held in Aberdeen, Scotland.

Hazardous Waste and Waste Classification

Commission Notice Separate Collection of Household Hazardous Waste (2020/C 375/01)

The Commission has drawn up guidelines to assist Member States in the separate collection of the hazardous waste fractions of household waste as required by Article 20(4) of the Waste Framework Directive. These guidelines were published in November 2020 in the form of a Commission Notice.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC1106%2801%29>

The main objective of the guidance is to prevent risks to human health and the environment, and in particular for waste workers, by facilitating the implementation of the separate collection of hazardous waste generated by households.

It also aims to improve the quantity and the quality of materials for preparation for re-use and recovery, by preventing other material streams from becoming contaminated and to provide an overview of best practices in the implementation of the obligation of separate collection across the EU, in particular at regional and local levels. Its purpose is assisting and facilitating their task in developing and implementing separate collection programmes for household hazardous waste.

Update of Commission Notice on technical guidance on the classification of waste (2018/C 124/01)

In April 2018 the Commission Notice on technical guidance on the classification of waste (2018/C 124/01) was adopted, with the purpose of assisting Member States in carrying out the classification of waste in a harmonised manner throughout the EU.

The Commission has initiated work in a targeted amendment of the guidance, which has the purpose of providing additional specific guidance on the classification of waste containing substances which have a specific classification under Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures (CLP), which applies only to a certain form or physical state of the substance concerned.

More specifically this amendment is brought about to clarify concerns expressed by stakeholders regarding the potential downstream impacts on waste classification resulting from classification of titanium dioxide in the 14th adaptation to technical progress of the CLP Regulation, carried out by Commission Delegated Regulation (EU) 2020/217 of 4 October 2019. Work on this update is envisaged to continue throughout the first quarter of 2021 with a planned publication in Q2 2021.

Regulation (EU) 2019/1021 on persistent organic pollutants²⁶

The Communication on a European Green Deal envisages the proposal of a number of legislative waste reforms, which include amending the annexes of Regulation (EU) 2019/1021 on Persistent Organic Pollutants (POPs), as further specified in the Communication on a new Circular Economy Action Plan. The recently recast Regulation on Persistent Organic Pollutants requires the Commission to review its annexes IV and V, in which concentration limits are set for certain POP substances in waste. This is to introduce limit values for new substances whose listing has been agreed internationally under the Stockholm Convention, and to adapt some existing values to scientific and technical progress. These limits largely determine the treatment of the waste and, in particular for limits in Annex IV, define whether a waste containing specific POP substances should be disposed of in such a way that the POP content is destroyed or irreversibly transformed or whether it can be subjected to other recovery or disposal operations, including recycling.

By December 2020 the Commission will finalise a study in support of the Impact Assessment that will accompany a legislative proposal to modify Annexes IV and V of the POPs Regulation.

More specifically the substances concerned are:

- Polybrominated diphenyl ethers (sum of tetra-, penta-, hexa, hepta- and deca.bromodiphenyl ether);
- Short-chain chlorinated paraffins (SCCPs);
- Pentadecafluorooctanoic acid (PFOA) its salts and PFOA-related compounds;
- Perfluorohexanoic acid (PFHxS), its salts and PFHxS-related compounds;
- Hexabromocyclododecane (HBCD, HBCDD);
- Pentachlorophenol (PCP) and its salts and esters;
- Polychlorinated Biphenyls (PCB), including dioxin-like PCBs;
- Polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF);
- Hexachlorobutadiene (HCBD);
- Dicofol

The initiative faces the challenge to determine adequate limit values for each substance (or group of substances) in waste that guarantees its sound environmental management while ensuring the greatest overall benefit for society. This requires striking the right balance between promoting circular flows of the materials concerned and ensuring a high level of protection of human health and the environment.

While under the previous POPs Regulation such adaptations were introduced through Commission delegated acts, the recast Regulation does so via the ordinary legislative procedure. The Commission envisages to adopt a proposal in the second quarter of 2021.

Construction and Demolition Waste (CDW)

With the latest revision of the Directive 2008/98/EC on waste (the Waste Framework Directive), the definition of backfilling was revised. While it is hoped that the new definition

²⁶ Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants. OJ L 169, 25.6.2019, p. 45–77.

of backfilling provides further legal clarity with regard to operations that can be considered as backfilling, there is a need to provide additional guidance to ensure its uniform application across the European Union, in particular to help distinguish 'backfilling' from recycling (and other forms of material recovery) and from disposal operations. Therefore, Article 38.2 of the amended Waste Framework Directive provides that the Commission shall develop guidelines on the definition of backfilling. Work on this is ongoing.

Extractive Waste Directive (2006/21/EC)

The Commission has adopted technical guidelines for inspections of extractive waste facilities on 20 February 2020: https://eur-lex.europa.eu/eli/dec_impl/2020/248/oj.

A study has been launched, which will take stock of the extractive sector in the EU with regard to material streams and their classification as product, by-product, waste or extractive waste. The main output of this study will be country fact sheets on the extractive sector and the implementation of the Extractive Waste Directive. Expected completion date is December 2020.

The Commission is currently organising and exchange of information to elaborate guidelines for best risk management approaches in the extractive sector. More information can be found at https://ec.europa.eu/environment/waste/mining/risk_management.htm.

For more information on DG ENV activities related to extractive waste, please refer to: <http://ec.europa.eu/environment/waste/mining/index.htm>

Waste shipment Regulation inspections

Regulation (EC) No 1013/2006 was amended in 2014 through Regulation (EU) No 660/2014 which applies as of 1/1/2016. The amendment introduces a strengthening of the inspections and enforcement and is expected to reduce the high amounts of illegal waste exports. Under the new amendment the authorities involved in inspections may conclude that a particular substance or object being carried is an illegal shipment of waste, if the exporter has not brought evidence of the contrary within a specified time-period, or if such evidence is insufficient. These authorities may also require evidence from exporters that waste shipments which do not require notification (e.g. green, non-hazardous waste) are destined for recovery operations and will be managed in an environmentally sound manner in the destination country.

Regulation (EU) No 660/2014 requires Member States to establish inspection plans by 1/1/2017. These plans shall include a minimum set of elements and shall be based on a risk assessment covering specific waste streams and sources of illegal shipments. This risk assessment shall aim, inter alia, to identify the minimum number of inspections required, including physical checks on establishments, undertakings, brokers, dealers and shipments of waste or on the related recovery or disposal. To support Member States in carrying out such risk assessments, the Commission supported the work of IMPEL in finalising its Guidance on Effective Waste Shipment Inspection Planning (Report number: 2015/04-2016/05, dated 9 November 2016).

The amending Regulation (EU) No 660/2014 calls on the Commission to carry out a review of Regulation (EC) No 1013/2006 by the end of 31/12/2020. In accordance with the Better Regulation Guidelines, an evaluation was carried out. The [Commission Staff Working Document](#) on the evaluation was adopted on 30 January 2020. The Executive Summary of this report can be found here: [EN](#) [FR](#) [DE](#)

The Commission is now looking into options on how to address the challenges identified in the evaluation report.

The [inception impact assessment](#) was published on 11 March 2020. Feedback on this inception impact assessment was invited until 8 April 2020. A study in support of this review process was launched in January 2020 to last for a period of 10 months. This study will include a wide stakeholder consultation exercise, including a [public consultation](#) that ran until 30 July 2020 and the outcomes of a stakeholder workshop that was held 23-24 September 2020.

The Commission is expected to publish its report on the impact assessment for the review of the Waste Shipment Regulation, accompanied by a legislative proposal to revise the Regulation by the summer of 2021.

The focus on the prevention of illegal shipments remains very relevant still. Recently the global markets for waste trade have considerably changed with the restrictions on imports of waste like plastic, paper, certain metals, to China. In the aftermath of these changes, other destination countries in the South-East Asian region have followed the example of China and waste streams now move to yet other destination countries.

Specifically on Plastic waste data reported for 2017 show that most detected illegal shipments relate to intra-EU movements, as well as exports to non-OECD countries. The altered global waste trade market after 2017 led to a significant rise in exports of plastic waste from the EU to OECD countries (especially Turkey). Most of these transactions have been legally recorded, but information collected after 2017 from some EU Member States also show that illegal export of plastic waste to Turkey has increased in the last two years.

In 2019, important changes were adopted relating to plastic waste. New entries were introduced in the Convention's Annexes II, VIII and IX. With this, more plastic waste has come under the control regime of the Basel Convention. These changes come into effect on 1 January 2021. They were implemented in the Waste Shipment Regulation via a Delegated Act (no numbering yet) that will also come into effect from 1 January 2021.

Guidance on these new entries and how to interpret them is in development, both on EU and Basel Convention level.

Directive on SUP and fishing gear

Directive (EU) 2019/904 on the reduction of the impact of certain plastic products on the marine environment (hereinafter the 'SUP Directive') was adopted on 5 June 2019 and entered into force on 3 July 2019. Member States have two years transpose it into their national law (3 July 2021). The objectives of the SUP Directive are to prevent and reduce the

impact of certain plastic products on the environment, in particular the marine environment, and on human health, as well as to promote the transition to a circular economy with innovative and sustainable business models, products and materials, thus also contributing to the efficient functioning of the internal market.

The Directive addresses 70% of all marine litter in the EU beaches (top 10 single use items covered by the Directive represent 43% of the marine litter, while fishing gear counts for 27% of all marine litter). Among the items covered by the Directive, we can find beverage bottles, caps and lids; tobacco products; cotton bud sticks; packets and wrappers; wet wipes and sanitary towels; cutlery, straws and stirrers; drink cups and cup lids; balloons and balloons sticks and food containers. Directive should reduce by half the plastic litter from the top 10 SUP items covered.

The SUP Directive provides a comprehensive set of tailored measures, which apply depending on the categorization. For products with available sustainable measures, the Directive aims to promote less harmful alternatives by market bans. In the case of products with no clear alternatives, the Directive provides some prevention measures (design requirements, consumption reduction and consumer information) as well as better waste management measures, such as separate collection. In addition, the Directive also provides a ban on all products made of oxo-degradable plastic. The SUP Directive requires that extended producer responsibility schemes are established to cover the costs of waste management and cleaning up litter, as well as costs of awareness raising to prevent and reduce litter and data gathering and reporting.

The Commission is currently developing two Guidelines to help MS to transpose the Directive. First, there are some Guidelines on items covered by the Directive. In addition, the Guidelines on Extended Producer Responsibility (EPR) will cover the options and methodologies to cover the costs of litter clean-up activities.

The Directive also calls on the Commission to adopt a number of implementing acts to provide uniform conditions for the implementation of the provisions on marking, separate collection of beverage bottles for recycling, fishing gear, minimum recycled content in beverage bottles, consumption reduction of cups and food containers, and reporting of post consumption waste linked to tobacco filters. In addition, the Commission requests the European standardisation organisations to develop harmonised standards on tethered caps and lids of plastic beverage containers and the circularity of fishing gear, which are foreseen to be adopted in December 2020.

The Commission started implementation preparatory work since the moments negotiations were closed in December 2020. It is foreseen that the implementing act on calculation, verification and reporting of data on the separate collection of beverage bottles; the implementing act on marking requirements; the implementing act on reporting and quality check of fishing gear placed on the market and waste fishing gear collected; as well as the Guidelines on items covered by the Directive, will be adopted in late 2020 or early 2021. With regard to the implementing acts on consumption reductions (measuring, reporting, and quality check of consumption reduction target and measures on consumption reduction), it is foreseen their adoption at mid-2021.

Water & Land:

Water Framework Directive

Directive 2000/60/EC establishing a Framework for Community action in the field of water policy (WFD) has as its main aim the achievement of good status in all European waters by 2015 (subject to duly justified exemptions).

The Commission published its report on the assessment of the Member States' 2nd RBMPs in February 2019. https://ec.europa.eu/environment/water/water-framework/impl_reports.htm

The Water Framework Directive was recently subject to a Fitness Check evaluation, along with other water legislation, completed in mid-2020. It was concluded that the existing regulatory framework is broadly fit for purpose, but that its implementation needs to be stepped up, including through increased investments in water management and nature restoration, enforcement of existing rules, better integration of water goals into other EU policies, better tackling of chemical pollution and enhanced administrative simplification and digitalization.

As regards the daughter Groundwater Directive (2006/118/EC) and Environmental Quality Standards (EQS) Directive (2008/105/EC), in accordance with the legal obligations under the WFD and those directives, the EC will consider the need for an update of the list of Priority Substances and EQS for surface waters, as well as of the lists of pollutants in the Annexes to the Groundwater Directive. In compliance with the Better Regulation guidelines, the Commission will carry out an impact assessment²⁷ to decide on the most appropriate legislative and non-legislative action. This will be supported by a comprehensive external study of the costs and benefits of the options.

Groundwater Directive

Directive 2006/118/EC on groundwater, OJ L 372, 27.12.2006, p. 19: This Directive sets groundwater quality standards and introduces measures to prevent or limit inputs of pollutants into groundwater. The provisions are intrinsically linked to the WFD assessments of chemical status of groundwater and the identification and reversal of significant and sustained upward trends in pollutant concentrations. Accordingly, some of the highlights in relation to the WFD are also relevant, such as the steps to achieve good quantitative status of groundwater.

The Groundwater Directive was subject to the abovementioned (see WFD) Fitness Check of the water legislation.

EQS Directive

Directive 2008/105/EC on environmental quality standards in the field of water policy, OJ L 348, 24.12.2008, p.84) and **Directive (2013/39/EU) amending Directives 2000/60/EC and 2008/105/EC as regards priority substances in the field of water policy**, OJ L 226, 24.8.2013, p.1. The latter amending Directive was adopted in 2013. It should have been transposed by 14 September 2015. Among other things it places an obligation on the

²⁷ Link to the inception impact assessment: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12662-Revision-of-lists-of-pollutants-affecting-surface-and-groundwater>

Commission to propose a first list of substances for a new Watch List monitoring mechanism. The first watch list was published in **Commission Implementing Decision (EU) 2015/495 establishing a watch list of substances for Union-wide monitoring in the field of water policy, OJ L 78, 24.3.2015, p.15**. It was updated in 2018 by **Commission Implementing Decision (EU) 2018/840, OJ L 141, 7.6.2018, p.9**, and again in 2020 by **Commission Implementing Decision (EU) 2020/1161, OJ L 257, 6.8.2020, p.32**.

In 2019 the Commission published a strategic approach to pharmaceuticals in the environment <https://ec.europa.eu/environment/water/water-dangersub/index.htm#strategic> (see Article 8c of Directive 2008/105/EC as amended by Directive 2013/39/EU).

The Environmental Quality Standards Directive was subject to the abovementioned (see WFD) Fitness Check of the water legislation.

Floods Directive

Directive 2007/60/EC on the assessment and management of flood risks (OJ L 288, 6.11.2007, p.27). There are many synergies between the WFD and the Floods Directive, including the planning cycle. The final step of the 1st cycle of implementation by the MSs was the adoption and reporting of Flood Risk Management Plans by 22 December 2015 and 22 March 2016 respectively (which dates coincide with the adoption and the reporting of the 2nd River Basin Management Plans).

The Commission has published its report on the assessment of the first Flood Risk Management Plans together with its report on the second River Basin Management Plans in February 2019²⁸.

The Floods Directive has also been subject to the abovementioned Fitness Check of the water legislation²⁹. Whereas the Directive has successfully achieved its objective to put in place an effective governance framework, there is scope to strengthen awareness and foster synergies between the Directive, the various pieces of water law and other related EU level instruments. In addition, the knowledge and modelling of the impact of climate change on all sources of floods should also be improved.

Water Reuse Regulation

The "Blueprint to safeguard Europe's water resources", published in November 2012, identified water reuse as a potential matter for EU attention. This was brought forward with the new circular economy package presented in December 2015 by the Commission (cf. Communication "Closing the loop – An EU action plan for the circular economy" (COM(2015)614) which includes a number of actions to promote further uptake of water reuse at EU level. The Circular Economy Action Plan in particular announced the development of dedicated legislation on water reuse.

As a result the European Parliament and the Council adopted on 25 May 2020 Regulation (EU) 2020/741 on minimum requirements for water reuse. The new rules, which apply for the

²⁸ https://ec.europa.eu/environment/water/water-framework/impl_reports.htm

²⁹ https://ec.europa.eu/environment/water/fitness_check_of_the_eu_water_legislation/index_en.htm

purpose of agricultural irrigation, will apply from 26 June 2023 and are expected to stimulate and facilitate water reuse in the EU.

Further details on water reuse and the Commission's initiative can be found at the following link: <https://ec.europa.eu/environment/water/reuse.htm>

Drinking Water Directive

Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption

- Revision of the Drinking Water Directive

The European Commission adopted on 1 February 2018 a proposal for a revised drinking water directive to improve the quality of drinking water and provide greater access and information to citizens. The proposal for modernizing the 20 year old drinking water directive (98/83/EC) comes as a result of the REFIT evaluation, the implementation of the Commission's response to the European Citizens' Initiative 'Right2Water' and as a contribution to meeting the targets of the Sustainable Development Goals.

http://ec.europa.eu/environment/water/water-drink/review_en.html

Main elements:

- The proposal updates existing safety standards in line with latest recommendations of the World Health Organisation (WHO) and ensure our drinking water is safe to use for the decades to come.
- It will empower authorities to better deal with risks to water supply and engage with polluters.
- It will empower consumers by giving them much more information and oversight over the efficiency and effectiveness of water suppliers.
- It contains an obligation for EU countries to improve access to safe drinking water for all and to ensure access for vulnerable and marginalised groups, in reply to the European Citizens' Initiative 'Right2Water'.
- During negotiations, Member States insisted to add provisions establishing hygienic requirements on materials in contact with Drinking Water.

The Council has adopted the text of the new Directive on 23 October 2020. The Parliament will vote for final adoption in plenary in December 2020. The Directive shall enter into force in January 2021 on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Urban Waste Water Treatment Directive

Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment

The Commission has published in 09/2020 the 10th report on the implementation of the Urban Waste Water Treatment Directive³⁰. The report is based on the aforementioned data, presenting the status of the implementation of the directive in year 2016 at individual MS and EU level, together with information about the plans prepared by the Member States for covering any implementation gaps and/or for ensuring continued compliance, and other relevant issues related to urban waste water (national implementation programmes).

³⁰ <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1600155318894&uri=CELEX:52020DC0492>

The 10th Report on the UWWTD implementation and the programmes for Implementation includes, *inter alia*, detailed information on legal compliance and its complementary concept, distance to target (which provides a complementary view of the efforts still needed to fully implement the UWWTD). The new, more automated processing of raw data by the EEA together with the consolidation of the automated compliance assessment and processing of information reached through the SIIF web tool (already in the two former reports), enhances the provision of even more reliable and accurate information at Member State and EU level. The 10th Report also includes other relevant information on latest developments by the Commission, e.g. compliance promotion through funding and financing strategy (including the OECD project providing detailed information on investments needed in the EU MS to reach full compliance with the UWWTD, and recommendations to address financial challenges).

The Commission is following up cases of non-compliance through bilateral and multilateral dialogues with the Member States and through legal action.

Follow-up of the Evaluation of the UWWTD:

The Directive's Evaluation³¹ concluded that, overall, the Directive has been an effective tool to deal with urban wastewater but that there is room for improvement in a number of areas, such as: 1) Pollution of emerging concern and new societal challenges, such as pharmaceuticals. It is also important to consider how to reduce the energy use of the sector and how to align it better with the circular economy. There is also room to explore how the experience with extended producer responsibility, a concept already used in the solid waste sector, can be applied in this sector to deal with substances such as pharmaceuticals. 2) Governance of the sector. This includes for instance re-assessing the provisions on monitoring, reporting and information to the public 3) The remaining pollution, which comes from urban sources such as storm water overflows³² and urban runoff, small villages and towns not falling within the scope of the Directive, and individual collection systems³³.

To assess the best ways to address these areas of improvement, the Commission launched an impact assessment for a potential revision of the Urban Waste Water Treatment Directive by publishing its roadmap³⁴ on 21/07/2020. The revision of the Directive is planned to address those areas of improvement that were identified in the evaluation and to align the directive with the new strategic ambitions of the Von der Leyen Commission outlined in the [European Green Deal](#)³⁵.

Further information:

http://ec.europa.eu/environment/water/water-urbanwaste/legislation/index_en.htm

³¹ <https://ec.europa.eu/environment/water/water-urbanwaste/pdf/UWWTD%20Evaluation%20SWD%20448-701%20web.pdf>

³² These occur in cases of heavy rainfall, when the collection system cannot cope with the water quantities.

³³ Individual systems can be for instance be septic tanks.

³⁴ <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12405-Water-pollution-EU-rules-on-urban-wastewater-treatment-update->

³⁵ https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en

Bathing Water Directive

Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality³⁶

The Report on the Bathing Water Quality

According to the European bathing water quality assessment³⁷ the number of bathing waters in Europe is increasing every year and bathing water quality in Europe remains high. The minimum water quality standards were met at 95 % of sites. The share of excellent sites grew continuously from the adoption of the Directive until 2015, when it stabilised at around 85 %. In 2019, it was 84.6 % across Europe and 84.8 % in the EU countries.

The share of poor-quality sites has dropped since 2013. In 2019, poor bathing waters constituted 1.3 % of all sites in the EU, compared to 2 % in 2013. This shows improvements in management of poor bathing sites in Europe.

Based on data from the 2019 bathing season the report indicated the quality of bathing water expected in 2020. The reporting exercise based on the 2020 data was launched in October 2020. The new report will be published before summer 2021.

The Commission has launched the review process of the Bathing Water Directive which will examine how the updated rules have worked, in particular if they have helped to protect public health and clean water, supplementing national efforts. It will also assess whether there is a need to improve the existing rules and propose relevant updates, if necessary.

In the coming weeks the Commission will publish for comments on the Have your say portal (<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12658-Bathing-water-quality-review-of-EU-rules>) an inception impact assessment. The document will describe the problem to be tackled and objectives to be met, explain why EU action is needed, outline policy options and describe the main features of the consultation strategy.

Marine Strategy Framework Directive

Directive 2008/56/EC establishing a framework for community action in the field of marine environmental policy (OJ L 164 of 25.6.2008, p. 19)

The Marine Strategy Framework Directive, which aims to achieve the so-called "Good Environmental Status" (GES) for the EU's marine waters by 2020 is now at the beginning of its second implementation cycle, formally as of October 2018. Member States are required to develop and implement marine strategies applying the ecosystem-based approach and the Directive relies on regional cooperation. Member States had to submit their Programmes of Measures (Article 13) by March 2016. The Commission has assessed these measures, in accordance with Article 16 of the Directive in its report adopted in 2018 (COM(2018)562final) accompanied by two Commission Staff Working Documents (SWD(2018)393 and SWD(2019)510). The measures are a key component of Member States'

³⁶ OJ L 64, 4.3.2006, p. 37–51

³⁷ <https://www.eea.europa.eu/themes/water/europes-seas-and-coasts/assessments/state-of-bathing-water/european-bathing-water-quality-in-2019>

marine strategies as they describe the actions they will take to reach good environmental status. Among the recommendations made by the Commission, Member States are asked to: identify and implement measures sub-regionally or regionally; to provide timelines for the implementation of these measures and match them with funding; to better link the measures with other parts of their strategy such as target-setting and monitoring; to quantify the effects of these measures on reducing the pressure on the marine environment and its contribution to the improvement of the state of the seas and oceans; to cover all pressures and to ensure that the measures cover an appropriate geographic scale.

The Commission has previously assessed Member States' initial assessments, determination of GES and targets (Article 8, 9 and 10 of the Directive) in a report (COM(2014)97final) and Member States' monitoring programmes through another report (COM(2017)3final). In October 2015 the Commission also adopted a progress report (COM(2015) 481 final) on establishing marine protected areas as required by Article 21 of the Directive.

Member States had to provide updates on their Article 8, 9 and 10 obligations (status of marine waters, GES definitions and environmental targets) in accordance with Article 17 of the Directive. Yet, there are long delays in reporting³⁸. Member States are also late in reporting on the implementation of their Programmes of Measures as required by Article 18 of the Directive.

The Commission published a report on the implementation of the first cycle of the Directive in June 2020. This was required under Article 20 of the Directive (COM(2020)259). The report paints a mixed picture of the state of Europe's seas, both in relation to the Directive's descriptor and the regional sea in question. The report however points out that the Directive pushed for a better understanding of the impacts of human activities on the sea on marine biodiversity, their habitats, and the ecosystems they sustain. It has led to increased cooperation among littoral Member States of the four European sea regions, as well as across marine regions. Still, EU Member States could further improve their coordination, namely in determining the coordinated objectives and targets and having effective measures tackling the right pressures. A review of the Directive is scheduled by mid-June 2023.

The implementation of Directive is steered through a Common Implementation Strategy, and the process is also accompanied by the work that is undertaken at a regional level, namely through the Regional Sea Conventions. A general overview of latest state of implementation of the Directive is available on a scoreboard on the Commission's website³⁹.

The Commission has also adopted two legislative acts in May 2017, through the comitology procedure established by Article 25 of the Directive:

(1) Commission Decision 2017/848/EU lays down criteria and methodological standards on good environmental status of marine waters as well as specifications and standardised methods for monitoring and assessment. This Decision repeals Commission Decision 2010/477/EU. The new Decision reduces the number of criteria to be applied when determining Good Environmental Status, introduces more flexibility for Member States to focus efforts on the main problems, e.g. de-select criteria that are not relevant by or applying a risk-based approach and to further specify the criteria and their use to ensure comparability

³⁸ By 15 October 2019, one year after the deadline, nine Member States had still not reported.

³⁹http://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/implementation/scoreboard_en.htm

and consistency in measuring the extent to which good environmental status is achieved in the EU's marine waters, notably through the use of threshold values. The Decision requires Member States to establish the criteria through regional cooperation or for some specific criteria through work at an EU level.

(2) Commission Directive 2017/845/EU amends Annex III of the Marine Strategy Framework Directive as regards the indicative lists of elements to be taken into account for the preparation of marine strategies. Among other things, this revised Annex creates a stronger link between anthropogenic pressures and the good environmental status criteria.

EU Soil Policy

The EU **Soil Thematic Strategy (STS)**⁴⁰, including its proposal for a Soil Framework Directive (SFD)⁴¹, originated from the need to ensure a sustainable use of soils and protect their functions in a comprehensive manner throughout the Union, against a background of increasing pressure and degradation of this important natural resource.

The Commission adopted the Soil Thematic Strategy on 22 September 2006. Its objective is to set out common principles, objectives and actions for soil protection at EU level. The proposal for a legally binding framework - Soil Framework Directive (SFD) - required Member States to adopt a systematic approach to identifying and combating soil degradation, tackling precautionary measures and integrating soils protection into other policies. After 8 years with blocking minority in the Council, the Commission took the decision to withdraw its proposal for the SFD⁴² in May 2014. In taking its decision, the Commission stated that it *'remains committed to the objective of the protection of soil and will examine options on how to best achieve this. Any further initiative in this respect will however have to be considered by the next college.'*

In absence of EU soil legislation the Soil Thematic Strategy remains the most comprehensive policy instrument at EU level. Based on the text of the Seventh Environment Action Programme, which entered into force in January 2014: *'The Union and its Member States should also reflect as soon as possible on how soil quality issues could be addressed using a targeted and proportionate risk-based approach within a binding legal framework.'*, the Commission set up a Soil expert group with the objective to reflect with experts nominated by the MS on how to implement the 7th EAP commitments on soil. In 2020 the group had its 10th meeting. The Commission launched in 2015 an inventory of soil-related legislation and initiatives at EU and national level which highlight the gaps that need to be filled at European level. This inventory was presented at a Soil Stakeholders Conference in December 2016⁴³ in Brussels, and was published in February 2017⁴⁴.

⁴⁰ COM(2006)231 final; the STS was promoted by the 6th EAP and its objective to protect natural resources and to ensure a sustainable use of soil.

⁴¹ [COM\(2006\) 232](#)

⁴² Such decision entered into force on 21 May 2014 upon publication on the Official Journal (see [OJ C 153 of 21 May 2014](#) and *corrigendum* in [OJ C 163 of 28 May 2014](#)).

⁴³ http://ec.europa.eu/environment/soil/public_events_en.htm [STUDY SOIL PILOT MAES](#)

⁴⁴ http://ec.europa.eu/environment/soil/pdf/Soil_inventory_report.pdf

In 2015 the International Year of Soils and recent international policy developments contributed to create a new momentum on soils at global level. With the adoption of the UN 2030 Agenda for Sustainable Development (SD) in September 2015 in New York Heads of State and Government have recognised soil and land as finite resources and committed to achieve "*a land degradation-neutral world*" (target 15.3). Land and soil are explicitly addressed in 4 SDGs targets for which the FAO (Food agriculture Organisation) and the Global Soil Partnership, as well as UNCCD (UN Convention to Combat Desertification) play an essential role. The European Commission is continuing to contribute to the Global Soil Partnership and continues to support it financially (it represents the main donor). In the context of climate change negotiations in COP21 the importance of soil organic carbon (which represents the second pool of carbon after the oceans) was also enhanced through initiatives like the '4p1000' launched by the French Minister of Agriculture (and is under further elaboration). The theme of the UNEA-3 (United Nations Environment Assembly) was "Towards a pollution-free planet", this encompassed soil pollution. In 2018, the FAO and Global Soil Partnership organised the first Global symposium on Soil Pollution.

The report of the MAES (Mapping and Assessing Ecosystems and their Services, part of the Soil Biodiversity Strategy to 2020) Soil pilot was published in the beginning of 2018⁴⁵ and studied the ecosystem services provided by the soil to take these better into account into in further policy developments. On 3 May 2018, the Commission organized a side-event 'Tackling Soil Pollution in Europe' during the Global Soil Pollution conference organized by the Global Soil Partnership. The Commission also contributed to the recent publication of the Land Degradation and Assessment Report of the IPBES. On 1 June 2018, the Commission published the legislative proposals for the next CAP (2020-2027). The proposals aim at introducing a new delivery model, based on more subsidiarity, while delivering a higher degree of ambition for the environment and climate. One of the new elements introduced is the specific mentioning of soil in one of the nine objectives: "foster sustainable development and efficient management of natural resources, such as water, soil and air". It introduces new GAEC's which will improve soil condition. In December 2018, a study was launched that investigates how the land and soil related SDG's are implemented at EU and national level.

With the advent of the European Green Deal as a key priority of the Commission presided by Ursula von der Leyen, the soil policy is called to highly contribute to the new ambition. The Biodiversity Strategy for 2030, adopted in May 2020 sets clear commitments for soil, such as:

- Step up efforts to protect soil fertility, reduce soil erosion and increase soil organic matter by adopting sustainable soil management
- Make significant progress in restoring degraded soils, protect and enhance soil biodiversity
- Define the conditions for their good ecological status
- Introduce restoration targets
- Promote the adoption of sustainable soil management practices
- Reduce the rate of land take, urban sprawl and sealing to achieve no net land take by 2050
- Make significant progress in identifying and remediating contaminated sites and address diffuse contamination
- Address the growing threat of desertification
- Contribute to achieve land degradation neutrality by 2030
- Improve the monitoring of soil quality

⁴⁵ Ref. STUDY SOIL PILOT MAES

The Commission is preparing the new EU Soil Strategy planned for 2021 that will have to address those commitments. The preparation of the strategy follows the “better regulation principles” and includes the publishing of the Roadmap for feedback and an open public consultation.

Nitrates Directive

Directive 91/676/ concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1–8):

The Directive is one of the key instruments for water protection from agricultural pressures.

On 4.5.2018, the Commission published its last four yearly Report on the implementation of the Directive⁴⁶. The Report and its Annexes are available on:

http://ec.europa.eu/environment/water/water-nitrates/index_en.html

The Report showed that water pollution caused by nitrates has decreased in Europe in the last two decades, worrying hotspots remain and need stronger action. It showed that thanks to the EU Nitrates Directive, nitrates concentrations have fallen in both surface and groundwater. Eutrophication – the excess growth of weeds and algae that suffocates life in rivers and seas – has also decreased, while sustainable agricultural practices in relation to nutrients’ management have become more widespread. However, despite this positive overall trend, nitrates pollution and eutrophication continue to cause problems in many Member States. They need to step up their efforts to bring the waters in the European Union to a good status. Agricultural pressures on water quality are still increasing in some areas, as some agricultural practices are heavily dependent on fertilisers that can cause local water quality to deteriorate. The trends observed in the report thus may have a bearing on the supply of clean drinking water, and the costs that public authorities have to carry to treat polluted water.

The latest case law remains:

- On 21st June 2018, the European Court of Justice issued its Judgment on case C-543/16 (Commission vs Federal Republic of Germany). The Judgment touches on a wide range of issues relevant for the interpretation and implementation of the Directive, and notably its Article 5(5) (additional and reinforced measures).
- On 3 October 2019, the Court issued a Preliminary Ruling on case C-197/18, in reply to a question from an Austrian Court. This Judgement recaps on the Court’s previous case law on different points of the Directive. The CJEU notably ruled that physical and legal persons such as the plaintiffs (a water distribution company, a municipality and a private owner of a well) could request Member State authorities, including by making recourse to a national court, to modify an Action Programme or to adopt additional or reinforced measures (i.e. measures within the meaning of Article 5(5) of the Directive) when water quality worsens or does not improve.
- On 27 February 2020, the Court issued a Judgement in case C-298/19 (Commission vs Greece), condemning Greece to pay a lump sum of EUR 3 500 000 for failure to take the necessary measures involved in implementing the judgment of 23 April 2015,

⁴⁶ COM(2018) 257 final

Commission v Greece (C 149/14, not published, EU:C:2015:264). Specifically, while Greece failed for long to adopt the necessary Action Plans for all the Nitrates Vulnerable Zones, and did not do so until after the Art 260 procedure had been launched. The Court still decided to impose a fine on the Member State.

The Commission is currently preparing the next four yearly Report on the implementation of the Directive (2016-19), on the basis of MSs reports notified under Article 10.

Nature Protection:

We apologise for the fact that we have not been able this year to present an update on the above subject.

Cross Cutting:

Initiative on environmental compliance assurance

The initiative on Environmental Compliance Assurance adopted by the Commission on 18 January 2018 includes an Action Plan⁴⁷ and creation of a new high-level Expert Group, the Environmental Compliance and Governance Forum.

Relevant documents and detailed information on the implementation of the initial set of actions and details on the new set of actions are available [online](#)⁴⁸.

Environmental compliance assurance is an umbrella concept that covers 3 kinds of work that national competent authorities do to ensure that EU environmental rules are respected on the ground: compliance promotion which means advice, assistance, guidance and awareness-raising to help duty-holders to meet their obligations; compliance monitoring which means inspections, surveillance, investigations and other checks to find out what is really happening on the ground. The third kind is enforcement which means taking action when breaches are discovered. In the most serious cases, that can include use of criminal law.

The implementation of the actions under the first phase of the Action Plan were largely finalised with the support of European networks of environmental practitioners, such as IMPEL, ENPE, EUFJE, EnviCrimeNet, NEPA. Of particular relevance for IMPEL are the actions on developing of guidance documents on handling of environmental complaints (already [published](#); summary document also [published](#)), on compliance assurance in rural areas (endorsed version [published in English](#), translations into the other EU official languages expected in early 2021; summary document expected to be published in all EU languages in early 2021) and on combating environmental crime (summary [good practice document](#) published; main guidance being finalised). IMPEL has been supporting the work on the preparation of the guidance documents and plays a crucial role in implementation of the actions related to training, capacity building and deploying of compliance assurance expertise.

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http://ec.europa.eu/environment/legal/pdf/COM_2018_10_F1_COMMUNICATION_FROM_COMMISSION_TO_INST_EN_V8_P1_959219.pdf

⁴⁸ https://ec.europa.eu/environment/legal/compliance_en.htm

A [new set of actions](#) was agreed in February 2020. IMPEL is leading the work on actions related to training and capacity and strategies for verification of self-monitoring and reporting. All EU-level environmental compliance assurance networks, including IMPEL, continue to play a crucial role concerning priority setting and actions implementation.

Environmental Compliance and Governance Forum

The Environmental Compliance and Governance Forum is a high-level Commission expert group established by Commission Decision [C\(2018\)10](#) on 18 January 2018. Its inaugural meeting took place on 13 March 2018. Initial practical decision (e.g. adoption of Rules of Procedures) and planning arrangements for 2018 were made. The second meeting of the Forum took place on 7 December 2018, the third one on 14 May 2019, and the 4th one on 14 February 2020. The next Forum meeting is envisaged for early 2021, date still to be confirmed. More detailed information about the discussions and outcomes of the Forum meetings is available at [CIRCABC](#).

The Forum steers delivery of the Action Plan, helps identify new priority actions, and serves as a high-level platform for discussing strategic environmental governance topics.

Apart from Member State representatives, the heads of several networks are Forum members: IMPEL (inspectors); ENPE (prosecutors); EnviCrimeNet (police); NEPA (environment agencies); and EUFJE (judges). The European Parliament, European Ombudsman, Committee of Regions and Economic and Social Committee are invited too.

Strengthened network co-operation – including with IMPEL – is amongst the themes addressed. DG ENV appreciates IMPEL's input to the preparation and its participation in all Forum meetings.

Environmental Crime Directive and related activities

The Environmental Crime Directive requires MS to criminalise specific offences and to provide for appropriate sanctions. The Commission evaluation of the Directive was finalised and the relevant Staff Working Document was [published](#).

The ECD revision has been included in the Commission Work Programme for 2021. A new proposal is envisaged for Q4 of 2021. Impact assessment work and stakeholders consultation are about to start in the coming months and IMPEL and other relevant networks will be involved in the consultations.

Based on the EU mechanism (the Joint Action 97/827/JHA of 1997) for mutual evaluations in the fight against organised crime, the Council decided in 2016 to carry out an evaluation focussing on assessment of organisation and effectiveness of the MS environmental enforcement systems in relation to combating waste crime. This process involved the preparation of a questionnaire by the Council, the appointment of experts drawn from all MS, the conduct of week-long country visits and preparation of reports with a view to providing the Council and MS with a detailed overview on the subject. The mutual evaluations are organised by the Council Secretariat. The [final report](#) on this initiative was adopted at the Judicial and Home Affairs Council in December 2019.

The need to address environmental crime, and especially illegal waste exports and wildlife trafficking, has also been recognised as priority as part of the EU policy cycle against

organised crime for the period 2018-2021 (<http://data.consilium.europa.eu/doc/document/ST-9450-2017-INIT/en/pdf>).

Several activities led by enforcement agencies in the Member States, with support from Europol and EU funding, are being carried out throughout the EU against environmental offences linked to illegal shipments of waste and wildlife trafficking.

Environmental Liability Directive

Directive 2004/35/EC on environmental liability with regard to the prevention and remedying of environmental damage (Environmental Liability Directive - ELD) establishes a framework based on the 'polluter pays' principle (Article 191(2) TFEU), aiming at the prevention and remediation of environmental damage.

Based on previous requests and the findings in the ELD evaluation of 2016, as well as the 'Common Understanding Document' developed under the MAWP 2017 – 2020 (see below), the Commission became obliged in the last amendment to the ELD of 2019 on the new monitoring, reporting and evaluation requirements on the Directive, to develop guidelines providing a common understanding of the term 'environmental damage' until the end of 2020. The elaboration of the guidelines, including four consultations with the ELD government experts group and a broad stakeholder consultation over the two summer months in 2020 will lead into a comprehensive and explanatory Commission Notice, whose adoption can be expected by the end of January or early February 2021. The Commission Notice is a legal-interpretative document, which may be complemented by more technical documents, such as those developed by the ongoing CAED project (see below).

Based on the results of the REFIT evaluation and Commission ELD report 2016, which showed that the ELD is working, but to a much lower extent compared to original expectations and with a great variation between Member States ('patchwork'), the Commission established together with the Member States also a Multi-Annual Work Programme 2017-2020. The MAWP addresses the main shortcomings and deficiencies and is aiming to improve the evidence base of the ELD, to support its implementation through capacity building measures and training and to promote the availability of financial security.

In the latter respect IMPEL carried out over three years (2016 – 2018) a project on "Financial Provision", potentially helping better implementation of the Directive. In addition, the Commission has launched by the end of 2018 a study contract to investigate the functioning of financial security to cover ELD liabilities in all Member States and to conceptualise practical solutions at national and European level where need be. An expert workshop took place on 15 October in Brussels. The study was finalised in May 2020 and delivered the most comprehensive and detailed information ever on financial security for environmental liabilities, with a strong focus on the ELD liabilities, in all Member States and at EU level. Its annexes contain very detailed Member State reports, a summary report and an overview on the demand and availability of financial security in all Member States. Furthermore, it includes recommendations at national as well as at EU level.⁴⁹ The Commission launched already a first follow-up study on 'Facilitating the implementation of the ELD in the Member States', due to be finalised in August 2021.

In June 2020, the Commission launched also another study, looking into the implementation of the ELD on the ground in all Member States, aiming at improving the implementation of

⁴⁹ https://ec.europa.eu/environment/legal/liability/pdf/Final_report.pdf

the Directive through action at local level and at gathering alternative information and data from the ground, which may feed into the next Commission evaluation of the Directive, scheduled for April 2023, based on the reporting by Member States due by April 2022.

The main development under the MAWP in 2018 concerned the development of country fiches to compile relevant and comparable data and information for all Member States to increase the knowledge and evidence base. The development of the originally envisaged Environmental Information System (EIS) has been completed, but not been put into operation due to the lacking critical mass of input data.

A new Multi-Annual Rolling Work Programme (MARWP) 2021 – 2024 has been developed during the year with the ELD government experts group and was approved at the third and last webex meeting to the 23rd ELD government experts meeting on 18 November 2020. It will be published on the Commission's environmental liability website soon. It includes the same three main work areas as the previous programme with a number of updated and new key activities under each work area (supporting the implementation, promoting the availability of financial security, providing better quantitative and qualitative information relating to the application of the Directive).

Finally should be mentioned the ongoing IMPEL project on ascertaining environmental damage, which is also endorsed by the ELD government experts group and the Commission, and has been integrated into the MAWP 2021 – 2024 within the work area 'Supporting tools and measures for more even and increasing implementation of the ELD'. The ongoing work has been presented at the 22nd and 23rd ELD government experts meetings this year, as well as at the 7th ELD Stakeholder Conference (virtual event of 16 – 20 November 2020).

The EMAS and EU Ecolabel Regulations

EMAS:

The Sectoral Reference document (SRD) on waste management was adopted and published in April 2020; the SRDs for the fabricated metal sector and telecommunication sector are finalised, the inter-service consultation is about to be launched, so adoption is foreseen for beginning of 2021. That will make a total of 10 different SRDs developed for EMAS, which provide guidance and inspiration to organisations in specific sectors on how to further improve environmental performance.

EU Ecolabel:

Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 lays down rules for the establishment and application of the voluntary EU Ecolabel scheme. Measures to establish specific EU Ecolabel criteria for each product group are adopted in accordance with the regulatory procedure with scrutiny.

The following Commission Decision was adopted in 2020:

- Commission Decision (EU) 2020/503 of 3 April 2020 amending Decision 2014/312/EU in order to extend the derogation for zinc oxide to allow its use as a preservative stabilizer to cover 'in-can preservation' and preservation of 'tinting pastes'

The following Commission Decisions are planned to be adopted by the end 2020:

- Commission Decision establishing the EU Ecolabel criteria for electronic displays;
- Commission Decision establishing the EU Ecolabel criteria for printed paper, stationery paper, and paper carrier bag products;
- Commission Decision amending Decisions 2014/350/EU and (EU)2016/1349 extending the period of validity of the ecological criteria for the award of the EU Ecolabel to textile products and footwear and of the related assessment and verification requirements.

The EIA Directive

Ensuring complete and correct transposition of the revised EIA Directive (Directive 2011/52/EU, as amended by Directive 2014/52/EU) continues to be a priority. The Commission launched the conformity check process which addresses both the newly amended parts of the EIA Directive, but also the non-amended parts, to ensure that the EIA processes in the Member States function properly and meet the EU standards. So far⁵⁰, for 20 Member States it was concluded that the national EIA transposing legislation was not in line with the Directive's requirements and the Commission launched infringement procedures for non-conformity.

In November 2019, the Commission issued a guidance document notice⁵¹ on the application of exemptions under the EIA Directive which provides up-to-date information concerning the application of Articles 1(3), 2(4) and 2(5). The notice takes into account experience of Member States and rulings of the Court of Justice of the EU and is intended to help national authorities in implementing these provisions of the EIA Directive.

The SEA Directive

The Commission completed the REFIT evaluation of the SEA Directive and issued Commission Staff Working Document Evaluation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes⁵².

This evaluation has examined the extent to which the SEA Directive is fit for purpose by looking into what works and what can be improved, the extent to which the objectives of the Directive have been achieved and why some elements or features are successful or not. The evaluation was carried out using the five standard evaluation criteria (effectiveness, efficiency, relevance, coherence and EU added value) and the following findings were established.

⁵⁰ Cut-off date – 31/10/2020.

⁵¹ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2019.386.01.0012.01.ENG&toc=OJ:C:2019:386:TOC

⁵² SWD (2019) 413 -22.11.2019

The evaluation concluded that the SEA Directive is a major piece of EU environmental legislation and remains relevant for attaining the objectives that it has set. The evaluation has shown that the SEA Directive brings multiple benefits to the EU, contributing to wider goals on attaining the sustainable development goals (SDGs) and environmental protection, by integrating environmental concerns into the appropriate plans and programmes. The benefits it provides do not cause disproportionate costs for the national administrations. The effectiveness of the Directive differs between sectors and the types of plans and programmes to which it is applied, but depends significantly on how it is transposed into national law and further implemented in each Member State. The central issue for the future is the scope and purpose of the SEA Directive. The Directive is coherent with other EU legislation prescribing environmental assessments.

To this end the SEA Directive remains fit for purpose.⁵³

The Commission published the fourth edition of the EIA and SEA Directive booklet gathering excerpts from rulings of the Court of Justice of the European Union related to the provisions of the EIA Directive and SEA Directive.⁵⁴

Other sectors:

Noise Directive

The Environmental Noise Directive (END) (2002/49/EU) entered into force in 2002. The Commission effort is focussed on ensuring correct implementation by EU Member States and to developing the policy to ensure that solutions to noise are implemented.

The Commission adopted an implementing act setting up the methods to calculate the health effects of noise. The act can be downloaded from Eur-Lex website⁵⁵.

The REACH Regulation

We apologise for the fact that we have not been able this year to present an update on the above subject.

The CLP Regulation

We apologise for the fact that we have not been able this year to present an update on the above subject.

⁵³ More information about the SEA REFIT process and associated documents is available here: <https://ec.europa.eu/environment/eia/sea-refit.htm>

⁵⁴ https://ec.europa.eu/environment/eia/pdf/EIA_rulings_web.pdf

⁵⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32020L0367>

More transparency under Directive on the protection of animals used for scientific purposes

Directive 2010/63/EU on the protection of animals used for scientific purposes regulates all use of live animals - vertebrate species, cephalopods and mammalian foetuses from the last trimester of their development - in basic and applied research, regulatory testing, routine production, and in educational and training in the EU.

The Directive provides one of the highest standards of experimental animal welfare in the world, whilst facilitating the competitiveness of the EU research and industry. The principle of the 'Three Rs' (Replacement, Reduction and Refinement of animal use) is firmly anchored in the legislation. Projects using animals are subject to authorisation and a systematic, compulsory (ethical) evaluation. An experiment using live animals can only be authorised if no alternative methods exist. It also sets housing and care standards, tighter rules for the use and care of non-human primates and bans the use of great apes in scientific procedures.

The Directive requires the Commission and the Member States to contribute to the development and validation of alternative approaches - not only for the benefit of animals but equally for better and more predictive scientific tools to protect human and animal health and the environment. The Directive formally establishes the European Union Reference Laboratory for Alternatives to Animal Testing (EURL ECVAM) tasked to co-ordinate the validation of alternative approaches at EU level. It also acts as a focal point for the exchange of information on the development of alternative approaches and promotes dialogue between legislators, regulators, and all relevant stakeholders.

To facilitate the uniform implementation of the Directive, the Commission together with all key stakeholders continue to develop specific guidance on elements such as the assessment of severity of procedures, project evaluation and retrospective assessment, education and training, functioning of Animal Welfare Bodies and National Committees, and inspection and enforcement⁵⁶. Furthermore, the Commission holds regular meetings of National Contact Points competent for the Directive to discuss and resolve questions arising from the implementation and to exchange best practices.

The review of the Directive was published in November 2017, COM(2017) 631⁵⁷. Due to the early timing of the review, there was, however, only limited experience with the Directive. In 2020, the Commission published the first statistical report on the use of animals in the EU, COM(2020)16⁵⁸, covering years 2015-2017, and the first EU report on the implementation of the Directive, COM(2020)15⁵⁹. The new statistical report provides data that were not previously collected; in addition to the animals used directly in research and testing, it also provides numbers of animals used for the creation and breeding of genetically altered animal lines to support EU research and testing needs.

The way the Directive has been implemented varies between Member States. Experience of the new legislative requirements is still at an early stage, in particular for those Member States whose transposition took some time. The report focuses, among others, on structures in place for project evaluation and authorisation, the functioning of Animal Welfare Bodies and National Committees, and inspections. The report also highlights some of the activities the Commission has undertaken to facilitate its implementation. Finally, it contains, for the first

⁵⁶ See http://ec.europa.eu/environment/chemicals/lab_animals/pubs_guidance_en.htm

⁵⁷ <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1510219889073&uri=COM:2017:631:FIN>

⁵⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1581689520921&uri=CELEX:52020DC0016>

⁵⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1581689520921&uri=CELEX:52020DC0015>

time in the EU, the number of animals bred for scientific purposes and killed without being used in procedures in 2017.

Together these reports provide significantly more transparent and detailed data on the use of animals for scientific purposes in the EU. These data allow efforts to be focused on areas where alternatives are most urgently needed and where their impact will be the greatest.

Regulation (EU) 2019/1010 on the alignment of reporting obligations in the field of legislation related to the environment⁶⁰, adopted on 5 June 2019, amends in its Article 6 Directive 2010/63/EU to improve transparency and reporting obligations. It amends Articles 43 and 54 of the Directive by foreseeing a central, open access EU database for the publication of Non-technical Project Summaries, and for some Member States, the publication of the results of Retrospective Assessment of projects. Furthermore, it provides a central, open access EU database for the publication of annual statistics. Commission Implementing Decision 2020/569/EU⁶¹, adopted on 16 April 2020, provides the detailed data content and formats facilitating the establishment of the EU databases.

Under a European Parliament Pilot funding, the Commission is developing a set of education and training tools, including guidance for educators and open-access eLearning modules for the development and uptake of non-animal alternatives, and to facilitate the implementation of the Directive. The deliverables are expected to be available by the end of 2020. Further educational tools will be developed under a European Parliament Preparatory Action funding between 2021-2023.

International Aspects

Regulation (EU) 2019/1021 and Regulation (EU) 649/2012 implement the Stockholm Convention on persistent organic pollutants (POPs) and the Rotterdam Convention on the Prior Informed Consent Procedure (PIC) for certain hazardous chemicals and pesticides in international trade respectively.

In 2020, the Commission added further chemicals to the list of substances subject to certain requirements when exported under the PIC Regulation. In addition, further chemicals were added to the lists of chemicals that are prohibited for export.

With the recast of the POPs Regulation in 2019, both the list of substances that are to be phased-out in the Union and the list of controlled substances subject to waste management provisions under the POPs Regulation were expanded. Further chemicals were added to Annex I in 2020, in line with the latest decisions adopted under the Stockholm Convention.

The EU PIC Regulation (applicable from 1 March 2014) goes beyond the Convention's obligations since, among other things, it covers more exports of chemicals that are still traded and used elsewhere in the world than required. The European Chemicals Agency (ECHA) is responsible for a number of administrative and technical tasks relating to the implementation of the EU PIC Regulation and supports the Commission at international level. ECHA makes available to customs and to enforcement authorities (NEAs) information demonstrating the requirements linked to the export of chemicals subject to Regulation (EU) No 649/2012 and whether those requirements are met in order to facilitate customs clearance and to ensure proper control. The access to that information is granted via the internet.

⁶⁰ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2019.170.01.0115.01.ENG&toc=OJ:L:2019:170:TOC

⁶¹ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2020.129.01.0016.01.ENG&toc=OJ:L:2020:129:TOC

ECHA has revised the guidance on implementation of Regulation (EU) No 649/2012, which also includes information relevant for enforcement. The guidance is available in all official Union languages.

The ECHA Forum for coordination of enforcement authorities works on enforcement of Regulation (EU) No 649/2012 and carried out a pilot project in 2018 focussing on controlling the export notifications. The report of that project was published in December 2018.

The Commission established customs factsheets addressing Regulation (EU) No 649/2012 and Regulation (EU) 2019/1021 in order to inform customs and facilitate enforcement.

Regulation (EU) No 649/2012 was integrated in ICSMS (Information and Communication System for the pan-European Market Surveillance) in 2018 in order to improve control and enforcement.

The last Conference of the Parties to the Stockholm and Rotterdam Convention was held in April/May 2019.

Developments under Regulation (EU) No 649/2012:

Amendments of Annexes I and V:

COMMISSION REGULATION (EU) No 73/2013 of 25 January 2013 amending Annexes I and V to Regulation (EC) No 689/2008 of the European Parliament and of the Council concerning the export and import of dangerous chemicals

COMMISSION DELEGATED REGULATION (EU) No 1078/2014 of 7 August 2014 amending Annex I to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals

COMMISSION DELEGATED REGULATION (EU) 2015/2229 of 29 September 2015 amending Annex I to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals

COMMISSION DELEGATED REGULATION (EU) 2018/172 of 28 November 2017 amending Annexes I and V to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals

COMMISSION DELEGATED REGULATION (EU) 2019/330 of 11 December 2018 amending Annexes I and V to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals

COMMISSION DELEGATED REGULATION (EU) 2019/1701 of 23 July 2019 amending Annexes I and V to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals

COMMISSION DELEGATED REGULATION (EU) 2020/1068 of 15 May 2020 amending Annexes I and V to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals

Adoption of European Union Import Decisions:

COMMISSION IMPLEMENTING DECISION of 15 May 2014 adopting Union import decisions for certain chemicals pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council (2014/C 152/02)

COMMISSION IMPLEMENTING DECISION of 11 February 2016 adopting Union import decisions for certain chemicals pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council and amending Commission Decisions 2005/416/EC and 2009/966/EC (2016/C 61/06)

COMMISSION IMPLEMENTING DECISION of 10 October 2018 laying down the final import response on behalf of the Union concerning the future import of certain chemicals pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council and amending Commission Implementing Decision C(2016) 747 (2018/C 376/06)

Adoption of reporting formats for Member States and ECHA:

COMMISSION IMPLEMENTING DECISION (EU) 2016/770 of 14 April 2016 establishing a common format for the submission of information concerning the operation of the procedures pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals (notified under document C(2016) 2068)

COMMISSION IMPLEMENTING DECISION (EU) 2016/1115 of 7 July 2016 establishing a format for the submission by the European Chemicals Agency of information concerning the operation of the procedures pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals (notified under document C(2016) 4141)

Developments under Regulation (EU) 2019/1021, which replaces Regulation (EC) No 850/2004

Amendments of Annexes I, IV and V:

COMMISSION REGULATION (EU) No 1342/2014 of 17 December 2014 amending Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants as regards Annexes IV and V

COMMISSION REGULATION (EU) 2015/2030 of 13 November 2015 amending Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants as regards Annex I

COMMISSION REGULATION (EU) 2016/293 of 1 March 2016 amending Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants as regards Annex I

COMMISSION REGULATION (EU) 2016/460 of 30 March 2016 amending Annexes IV and V to Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants

COMMISSION DELEGATED REGULATION (EU) 2020/784 of 8 April 2020 amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards the listing of perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds

Corrigendum to Commission Delegated Regulation (EU) 2020/784 of 8 April 2020 amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards the listing of perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds

COMMISSION DELEGATED REGULATION (EU) 2020/1203 of 9 June 2020 amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards the entry for perfluorooctane sulfonic acid and its derivatives (PFOS)

COMMISSION DELEGATED REGULATION (EU) 2020/1204 of 9 June 2020 amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards the listing of dicofol.