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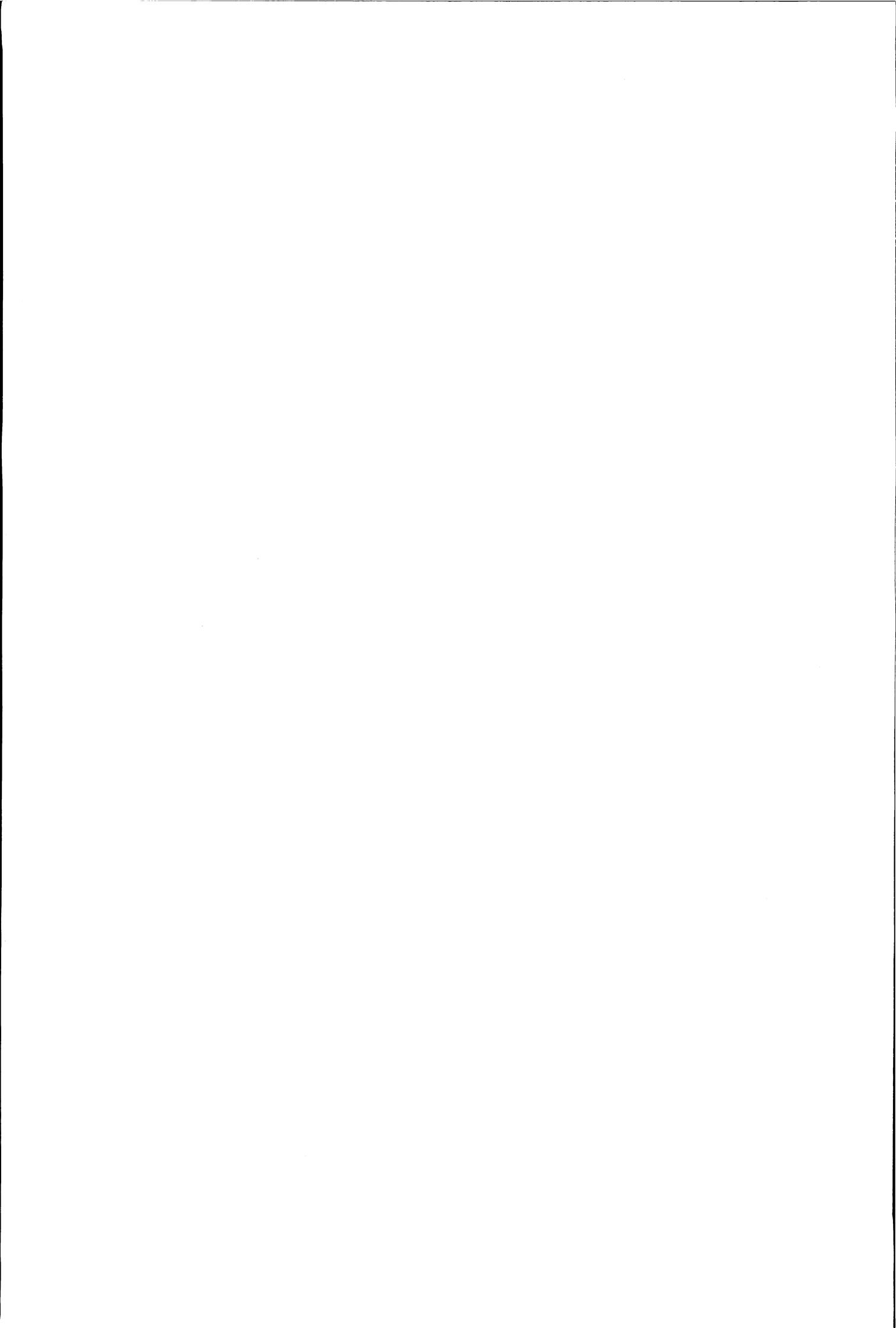
REPORT

drawn up on behalf of the Committee on Environment, Public Health and Consumer Protection

on the proposal from the Commission of the European Communities to the Council (COM(84) 772 final - Doc. 2-1745/84) for a directive on limit values and quality objectives for discharges of certain dangerous substances included in List I in the Annex to Directive 76/464/EEC

Rapporteur : Mr Andrew PEARCE

PE 101 285/fin.
Or.En.



By letter of 18.2.1985, the President of the Council of the European Communities requested the European Parliament to deliver an opinion, pursuant to Article 100 of the EEC Treaty, on the proposal from the Commission of the European Communities to the Council for a Directive on limit values and quality objectives for discharges of certain dangerous substances included in List I in the Annex to Directive 76/464/EEC.

On 11.3.85, the President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible.

At its meeting on 22.3.1985, the committee appointed Mr PEARCE rapporteur.

At its sittings of 11.3.85, 15.4.85 and 8.5.85, the European Parliament referred the motion for a resolution tabled by Mr STAES on the pollution of the Maas and its tributaries (Doc.2-1751/84), the motion for a resolution tabled by Mr SCHWALBA-HOTH on the arsenic disaster in East Hamburg (Doc. 2-1757/84) the motion for a resolution tabled by Mr KUIJPERS and Mr VANDEMEULEBROUCKE on the pollution of the Scheldt and its tributaries (Doc.2-1774/84), the motion for a resolution tabled by Mrs BLOCH VON BLOTTNITZ on the introduction of binding limit values for arsenic (Doc.2-1883/84), the motion for a resolution tabled by Mrs SCHLEICHER and others on the discharge of dangerous substances into the aquatic environment of the Community (Doc.B2-216/85), the motion for a resolution tabled by Mrs VAN HEMELDONCK and others on pollution of the Shannon river basin by heavy metals (Doc.B2-242/85), pursuant to Rule 47 of the Rules of Procedure to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible.

The committee decided to consider these motions for resolutions in conjunction with the proposal for a directive referred to it earlier.

The committee considered the Commission's proposal and the draft report at its meetings of 21.5.85, 19.12.85, 21.1.86 and 25/26.2.86.

At the last meeting, the committee decided unanimously to recommend to Parliament that it approve the Commission's proposal with the following amendments.

The committee then adopted unanimously the motion for a resolution as a whole.

The following members took part in the vote: Schleicher (vice-chairman and acting chairman); Bloch von Blottnitz (vice-chairman); Pearce (rapporteur); Avgerinos (deputizing for Schmid), Banotti, Barral Agesta, Bombard, Elliott (deputizing for Collins), Gaibisso, Garcia V. (deputizing for Pereira V.), Gredal (deputizing for Tongue), Hughes, Jackson Car., Lambrias (deputizing for Parodi), van der Lek, Lentz-Cornette, Llorca Vilaplana, Mertens, Muntingh, Nordmann, Peus (deputizing for Alber), Renau i Manen, Roelants du Vivier, Seibel-Emmerling (deputizing for Vittinghoff), Squarcialupi.

The report was tabled 11 March 1986.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

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The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following amendments to the Commission's proposal and motion for a resolution together with explanatory statement:

Proposal for a directive on limit values and quality objectives for discharges of certain dangerous substances included in List I in the annex to Directive 76/464/EEC

Text

Text proposed by the Commission of the European Communities

Amendments tabled by the Committee on the Environment, Public Health and Consumer Protection

Title and preamble unchanged

Recitals 1 - 4 unchanged

Recital
Recital 5

Amendment no.1

whereas
Whereas the purpose of the quality objectives is to eliminate pollution of the *various* parts of the aquatic environment *which* might be affected by discharges of these substances;

Recital 5

Whereas the purpose of the quality objectives must be to limit pollution of the various parts of the aquatic environment by discharges of these substances wherever this is technically and economically feasible;

Recital
Recital 6
whereas
Whereas such quality objectives must be *laid* down expressly for this purpose and *not* with the intention of establishing *not rules* rules pertaining to consumer protection to the marketing of products from the aquatic environment;

Amendment no.2

Recital 6

Whereas quality objectives must be laid down expressly for the purpose of reducing and, ultimately, eliminating pollution and not with the intention

(rest unchanged)

Recitals 7 - 12 unchanged

Articles 1, 2(a), (b), (c) and (d) unchanged

Article 2 (e)

(e) "industrial plant" means:

a plant at which the substances referred to in (a), or any other substances containing them, are processed;

Amendment no.3

Article 2 (e)

(e) "industrial plant" means:

a plant at which the substances referred to in (a), or any other substances containing them, are handled;

Article 2 (f) unchanged

Article 2 (g), 2nd indent

- an existing industrial plant within the meaning of (e) whose capacity for handling the substances has been substantially increased since the date of notification of this Directive or, where applicable, since the date of notification of any directive amending it that relates to such plant.

Amendment no.4

Article 2 (g), 2nd indent

- an existing industrial plant within the meaning of (e) whose capacity for handling the substances has been increased by at least 20% since the date of notification of this Directive or, where applicable, since the date of notification of any directive amending it that relates to such plant.

Article 3 (1) unchanged

Article 3 (2)

2. The limit values shall normally apply at the point where waste waters containing the substances referred to in Article 2(a) leave the industrial plant.

When waste waters containing these substances are treated outside the industrial plant at a treatment plant intended for their removal, the Member State may permit the limit values to be

Amendment no.5

Article 3 (2)

2. The limit values shall normally apply at the point where waste waters containing the substances referred to in Article 2(a) leave the industrial plant.

When waste waters containing these substances are treated outside the industrial plant at a treatment plant intended for their removal, the Member State may permit the limit values to be

Text proposed by the Commission of
the European Communities

applied at the point where the waste waters
leave the treatment plant.

Amendments tabled by the Committee on the
Environment, Public Health and Consumer
Protection

applied at the point where the waste waters
leave the treatment plant.

(Add:)

Where toxic substances are to be mixed with
other waste waters plus water before dis-
charge, opportunity must be provided for
sampling the toxic substances to be dis-
charged prior to their being mixed, treated
and discharged into public waters.

Amendment no.6

Add: (New)

Artikel 3 Absatz 3

"... wenn diese Betriebe die Normen anwenden
die dem neuesten Stand der Technik ents-
prechen, sofern" unverändert

Articles 3 (3), 3(4), 3(5) and 3(6) unchanged

Article 4

The Member States concerned shall be res-
ponsible for monitoring the aquatic
environment affected by industrial dis-
charges.

Amendment no.7

Article 4

The Member States concerned shall be res-
ponsible for monitoring the aquatic
environment affected by industrial dis-
charge or other sources producing sig-
nificant levels of discharge.

Article 5 (1)

1. The Member States shall draw up specific
programmes for discharges of the sub-
stances referred to in Article 2 (a) by
multiple sources or by industrial plants
which are not mentioned under heading A
in Annex II and for which the emission
standards laid down in Article 3 cannot
be applied in practice.

Amendment no.8

Article 5 (1)

1. The Member States shall draw up specific
programmes for discharges of the sub-
stances referred to in Article 2 (a) by
multiple sources (including composite
and diffuse sources) other than sources
of discharge which are subject to the
system of Community limit values or
national emission standards.

Article 5(2)

2. The purpose of the programmes shall be to avoid or eliminate pollution. They shall include the most appropriate measures and techniques for the replacement, retention and recycling of the substances referred to in paragraph 1.

Amendment no.9

Article 5(2)

2. The purpose of the programmes shall be to avoid or eliminate pollution. They shall include in particular the most appropriate measures and techniques for the replacement, retention and/or recycling of the substances referred to in paragraph 1.

Article 5(3) unchanged

Amendment no.10

Article 6(1)

1. The Commission shall make a comparative assessment of the implementation of this Directive by Member States on the basis of information supplied to it by them pursuant to Article 13 of Directive 76/464/EEC at its request, which it must submit case by case. The information concerned shall, in particular, comprise:

- details of authorizations laying down emission standards for discharges of the substances;
- the results of the inventory of the substances discharged;
- the results of measurements made by the national network set up to determine concentrations of the substances in the waters concerned, and particularly in waters close to a discharge point, so that they can be compared over a period of time with the quality objectives established by this Directive;
- the specific elimination programmes referred to in Article 5.

Article 6(1)

The Commission shall make a comparative assessment of the implementation of this Directive by Member States on the basis of information supplied to it by them pursuant to Article 13 of Directive 76/464/EEC at its request, which it must submit case by case. The information concerned shall, in particular, comprise:

- details of authorizations laying down emission standards for discharges of the substances;
(English version unchanged)
- an inventory of discharges of the substances into the waters referred to in Article 1(2);
- compliance with the limit values or quality objectives laid down in sections A and B of Annex II;
- the results of operations to monitor the aquatic environment affected by discharges, as referred to in Article 4;
- unchanged

Article 6(2) and (3) unchanged

Articles 7 and 8 unchanged

Annex I, A, paragraph 1 unchanged

Amendment no.11

Para. 2

2. The quantities of substances discharged are expressed as a function of the quantity of substances produced, used or processed by the industrial plant during the same period.

Para. 2

2. The quantities of substances discharged are expressed as a function of the quantity of substances produced, used or handled by the industrial plant during the same period.

Annex I, A, paras. 3 and 4 unchanged

Annex I, A, para. 5, 1st and 2nd subparas. unchanged

Amendment no.12

Para. 5, 3rd indent

Should the quantity of substances treated be impossible to determine, the monitoring procedure may be based on the quantity of substances that may be used as a function of the production capacity on which the authorization was based.

Para.5, 3rd indent

Should the quantity of substances treated be impossible to determine, the monitoring procedure must be based on

(rest unchanged)

Annex I, A, para.6 unchanged

Annex I, B unchanged

Annex I, C unchanged

Annex I, Title 1, section A unchanged

Amendment no.13

Annex II, Title I, section B

Annex II, Title I, section B

B (13) Quality Objectives

B (13) Quality Objectives

Environment	Quality objective	Unit of measurement	Date of application
Inland surface waters, estuary waters and territorial sea waters	10	$\mu\text{g/l}$ CCl_4	1 January 1987

Environment	Quality objective	Unit of measurement	Date of application
Inland surface waters, estuary waters and territorial sea waters	<u>1</u>	$\mu\text{g/l}$ CCl_4	1 January 1987

Annex II, Title I, Section C unchanged

Annex II, Title II, Section A unchanged

Amendment no.14

Annex II, Title II, Section B

Annex II, Title II, Section B

B (23) Quality objectives

B (23) Quality objectives

Environment	Quality objective	Unit of measurement	Date of application
Inland surface waters, estuary waters and territorial sea waters	10	$\mu\text{g/l}$ CHCl_3	1 January 1987

Environment	Quality objective	Unit of measurement	Date of application
Inland surface waters, estuary waters and territorial sea waters	<u>1</u>	$\mu\text{g/l}$ CHCl_3	1 January 1987

Annex II, Title II, Section C unchanged

Annex II, Title II, Section A unchanged

Amendment no.15

Annex II, Title III, Section B

Annex II, Title III, Section B

B (46) Quality Objectives

B (46) Quality Objectives

Environment	Quality objective	Unit of measurement	Date of application
Inland surface waters, estuary waters and territorial sea waters	10	ng/l	1 January 1987
Fish flesh	0,1	ng/kg DDT	1 January 1987
Molluscs Sediments	No significant increase in DDT concentration		1 January 1990

Environment	Quality objective	Unit of measurement	Date of application
Inland surface waters, estuary waters and territorial sea waters	<u>1</u>	ng/l	1 January 1987
Fish flesh	0,1	ng/kg DDT	1 January 1987
Molluscs Sediments	No significant increase in DDT concentration		1 January 1990

Amendment no.16

Annex II, Title III, Section B

Annex II, Title III, Section B

B (46) Quality Objectives

B (46) Quality Objectives

Environment	Quality objective	Unit of measurement	Date of application
Inland surface waters, estuary waters and territorial sea waters	10	ng/l	1 January 1987
Fish flesh	0,1	ng/kg DDT	1 January 1987
Molluscs Sediments	No significant increase in DDT concentration		1 January 1990

Environment	Quality objective	Unit of measurement	Date of application
Inland surface waters, estuary waters and territorial sea waters	10	ng/l	1 January 1987
Fish flesh	0,1	ng/kg DDT	1 January 1987
Molluscs Sediments	<u>No</u> increase in DDT concentration		1 January 1990

Annex II, Title III, Section C unchanged

Amendment no.17

Annex II, Title IV, Section A

Annex II, Title IV, Section A

A (102): Limit values

A (102): Limit values

Type of industrial plant ³	Type of average value	Limit values expressed as		Date of application
		g per kilogram of substances produced, treated or used	mg per litre of water discharged	
Plant producing sodium pentachlorophenate by hydrolysis of hexachlorobenzene	Monthly	1	1	1 January 1987

Type of industrial plant ³	Type of average value	Limit values expressed as		Date of application
		g/tonne of substances produced, treated or used	mg per litre of water discharged	
Plant producing sodium pentachlorophenate by hydrolysis of hexachlorobenzene	Monthly	<u>25</u>	1	1 January

The chemical element 2,3,4,5,6-Pentachloro-1-hydroxybenzene and its sodium salt, sodium pentachlorophenate

The chemical element 2,3,4,5,6-Pentachloro-1-hydroxybenzene and its sodium salt, sodium pentachlorophenate

Among the industrial plants referred to either under heading A(5) in Annex I or in Article 5, reference is made, in the case of pentachlorophenol, to plants producing sodium pentachlorophenate by saponification

Among the industrial plants referred to either under heading A(5) Annex I or in Article 5, reference is made, in the case of pentachlorophenol, to plants producing sodium pentachlorophenate by saponification

MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on limit values and quality objectives for discharges of certain dangerous substances included in List I in the annex to Directive 76/464/EEC

The European Parliament,

- having regard to the proposal from the Commission to the Council¹,
- having been consulted by the Council (Doc. 2-1745/84),
- having regard to the resolutions tabled in accordance with Rule 47 of the Rules of Procedure²,
- having regard to the Opinion of the Economic and Social Committee³,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. A 2-4/86),
- having regard to the result of the vote on the Commission's proposal,

A. Whereas the purpose of this Directive is to implement, as regards certain substances, the provisions of Directive 76/464/EEC, whose stated objective is the elimination of pollution, that is the discharge by man directly or indirectly of substances or energy into the aquatic environment, the results of which are such as to cause hazards to human health, harm to living resources and to aquatic ecosystems, damage to amenities or interference with other legitimate uses of water;

B. Whereas also in accordance with the provisions of Directive 76/464/EEC, the substances covered by the present Directive shall be substances having toxic, persistent and bioaccumulative qualities and/or a carcinogenic effect in the aquatic environment;

¹ OJ No. C70, 18.3.1985, p.15

² Docs. 2-1757/1774/1883/84 and Docs. B 2-216/242/85

³ No. CES 477/85

- C. Whereas this Directive is likely to be used as a model for future Directives implementing further the provisions of Directive 76/464/EEC;
- D. Whereas the quality of groundwater is covered by Directive 80/68/EEC¹;
- E. Whereas it is morally suspect for a Community directive to set limits for DDT emissions, a substance whose production, marketing and use are virtually banned, for example in the Federal Republic of Germany;
1. Welcomes the proposal for a directive and expects all substances referred to in Directive 76/464/EEC to be covered by detailed implementing legislation without delay;
 2. Accepts the fact that the directive adopts the dual approach of laying down both emission standards and environmental quality objectives, provided that the two systems are seen as being complementary rather than as alternatives;
 3. Takes the view that a ban similar to that imposed on DDT in the FRG must be applied to the production and use of both substances in the Community;
 4. Notes that the relationship between the figures for environmental quality standards (ie. the "dilution factor") are not consistent; urges the Commission to re-examine and clarify the matter;
 5. Considers it essential to impose limits on the production and use of carbon tetrachloride and chloroform;
 6. Calls on the Commission to insert a new item in Article 2 defining the "best technical means available" since various terms are used repeatedly in the Commission proposal and no precise definition is given;
 7. Expects the Commission to submit a new proposal on that subject;
 8. Considers it necessary that the monitoring procedure referred to in Article 6 be made more comprehensive so as to embrace all emissions of the substances concerned into the aquatic environment;
 9. Calls on the Commission and Council to impose stricter quality objectives in section B of titles I to IV of Annex II in accordance with the technical means available and the requirements of environmental policy;

¹ OJ No.L 20 of 26 January 1980, pp.43-48)

10. Urges that the limit values to be determined at a later stage as laid down in Annex I will be decided upon following consultation of the European Parliament on a proposal from the Commission and not merely by the Council acting unilaterally;
11. With reference to Article 2 (g) of the Directive, believes that for effective implementation of the aims of the directive any plant whose capacity for handling the substances has increased by more than 20% (ie. rather than "substantially") should be subject to the procedures laid down;
12. Believes that control measures should apply equally to circumstances where environmental quality standards and emission standards are being applied;
13. Calls on the Council to adopt, on the basis of Article 149, second paragraph, of the EEC Treaty, the amendments which it has tabled to the Commission's proposal;
14. Instructs its President to forward to the Council and Commission, as Parliament's opinion, the Commission's proposal as voted by Parliament and the corresponding resolution.

B

EXPLANATORY STATEMENT

The explanatory statement will be delivered orally by the rapporteur.

MOTION FOR A RESOLUTION (Doc. 2-1751/84)

tabled by Mr STAES

pursuant to Rule 47 of the Rules of Procedure on the pollution of the Maas and its tributaries

The European Parliament,

- A. having regard to the various directives which have already been drawn up on the combating of pollution of surface water,
- B. having regard to the study of the alarming level of pollution of the Maas and its tributaries carried out by the Foundation for Clean Water in the Netherlands, with assistance from the Netherlands Ministry of the Environment and the World Wildlife Fund (WWF),
- C. having regard to the vital importance of the quality of the Maas river water for the drinking water supply,
- D. whereas the above study reveals that
- both the water and the bed of the Maas river are very seriously polluted;
 - in Belgium less than 10% of effluent is treated before being discharged into the Maas;
 - the corresponding figure for France is 95%, for West Germany 95% and for the Netherlands 70%;
 - the main substances discharged in Belgium are trichloroethane, oil, copper, chrome, iron and cadmium, originating primarily from the firms Phenix, Armco, Cockerill and Nouveau Hall de Cuivre et Zinc ;
 - excessively high concentrations of cadmium, lead, zinc, barium and copper have been found in the Roer, Neer, Raam, Dieze, Vesder and Ourthe rivers, which are tributaries of the Maas;
 - the main substances discharged in the Netherlands are fluoride, tri- and tetrachloromethane, lead and trichloroethane, principally from the firms Natronchemie, DSM, Ciba Geigy and the Koninklijke Nederlandse Papierfabrik;
 - the concentrations of volatile chlorinated hydrocarbons in the Maas and its tributaries, the Roer, Neer and Raam, do not satisfy the quality criteria laid down for drinking water production;
 - the bed of the Maas in the area of the firm Zinkwit at Eisden is heavily polluted with zinc, cadmium and lead, and in the area of the firm Borma-Ankersmit in Maastricht is heavily polluted with cadmium, lead, zinc, barium and copper,
- E. whereas the worst polluters are known and whereas, given the importance of environmental protection and drinking water production, negligent conduct of any kind is utterly irresponsible,
- F. whereas it is naturally intolerable, in a properly functioning European Community, that one Member State makes a determined effort to ensure the safety of surface water when another plainly does not,
- G. whereas the Community should make it a priority objective to ensure, by means of transfrontier measures, that such situations are rectified as speedily and thoroughly as possible, in line with its own directives and environment policy,

- H. whereas Parliament, Commission and Council cannot disregard the serious implications of such a situation for present and future generations, particularly in view of the vital importance of a supply of drinking water of adequate quality,
- I. whereas it is clearly wrong that the one country, as a result of the absence of an environment policy and because its rivers drain into the neighbouring country, should create serious problems for that country in a sector as vital as its drinking water supply and whereas a specific responsibility is therefore incumbent on European bodies in such a case,
1. Strongly urges the Member States concerned, particularly those which are not strictly observing a proper policy on the protection of surface water, to take immediate steps to improve their environment policy in line with the relevant directives;
 2. Takes the initiative at the same time of proposing the creation of an international management committee for the Maas, endowed with wide-ranging powers, and calls for the various European bodies - which naturally include the European Parliament and its competent committees - to take an active part in the work of this management committee;
 3. Urges that this proposal be put into effect without delay in view of the extreme urgency of the situation;
 4. Calls for the necessary checks and sanctions to be at last introduced, both within and outside this committee, to deal with such a blatant situation in which it has been clear for some considerable time who the main polluters are;
 5. Urges the Commission to tighten up its directives without delay if this should appear necessary and useful on the basis of the information provided by the abovementioned study;
 6. Stresses the importance of also including pollution caused by intensive industrial farming using chemicals;
 7. Takes the initiative of organizing a conference of the riparian states of the Maas, to be attended by those responsible for carrying out and financing the above study, with a brief to discuss specific bottlenecks and formulate proposals on the basis of that study. Naturally, the European institutions concerned should be actively involved in this initiative;
 8. Hopes to see funds entered in its budget to enable specific projects to be undertaken;
 9. Instructs its President to ensure that this resolution is put into effect without delay.

MOTION FOR A RESOLUTION (Doc. 2-1757/84)
tabled by Mr SCHWALBA-HOTH
pursuant to Rule 47 of the Rules of Procedure
on the arsenic disaster in East Hamburg
The European Parliament,

- A. having regard to the toxicity of arsenic (a single dose of 0.1 gr. of arsenic (arsenic compound) can be fatal to adults),
- B. whereas arsenic is assimilated through the mucous membranes, the skin and the air we breathe and accumulates in the cells of the body,
- C. having regard to the danger of chronic arsenic poisoning, which produces such symptoms as catarrh, diarrhoea, fatigue, apathy, skin eruptions, liver and kidney complaints, headaches and hyperkeratosis,
- D. having regard to the symptoms of latter-stage poisoning: melanosis (a preliminary stage of cancer) and loss of hair,
- E. whereas various smelting and roasting processes used to produce copper from copper ores release arsenic particles, among other substances, in waste gases discharged from chimneys into the environment,
- F. astonished to discover that for 60 years, the largest copper smelting plant in Europe, the 'Norddeutsche Affinerie', has been located on a 900,000 m² site in the middle of Hamburg,
- G. noting with dismay that for years, this plant has been emitting waste gases containing large quantities of sulphur dioxide and heavy metals into the air via 200 chimneys and discharging huge quantities of cadmium, nickel, lead and other 'poisons' via 75 pipes into the River Elbe,
- H. whereas to date, approximately 3,600 tonnes of arsenic have been vented through the chimneys of the copper plant (about 70 tonnes per year until the end of the 1960s),
- I. whereas despite the use of filters, 4 tonnes of arsenic are still emitted each year (as well as 15 tonnes of lead and 500 kg of cadmium),
- J. whereas there are still no legally established limit values in the Federal Republic of Germany, although Professor Kloke of the Federal Biological Institute has quoted 20 ppm (parts per million) as the upper recommended limit for arsenic and although the figures in the United Kingdom are 10 ppm for smallholdings, 20 ppm for gardens and 40 ppm for public parks and playgrounds and, in the Netherlands, cleaning-up operations are required when the level exceeds 50 ppm,
- K. whereas in the USA, where a great deal of experience has been acquired with arsenic poisoning, soil contaminated above 40 ppm may not be left exposed to the air, underground water pipes must be plastic-clad where this level is exceeded and, above 200 ppm, a 60 cm thick completely watertight layer must be applied and consolidated, or the soil replaced,
- L. noting with concern that a four-year research project conducted by the Faculty of Soil Science at the University of Hamburg, in the course of which the entire surface of Hamburg was investigated to a depth of 5 cm in sections of 200 and 2,000 m, found alarming arsenic levels: 14 soil samples in East Hamburg showed values exceeding 200 ppm (208 ppm upstream of the landing-stages, 431-450 ppm at the Kaltehofe groundwater works, 456 ppm in the harbour area and 918 ppm between the Billbrock industrial estate and the marshes),

- M. having been informed that on 18 December 1984, internal talks took place at the Hamburg Department of the Environment, at which the implications of this contamination were discussed, and that it was decided neither to close the copper plant immediately nor to inform the public,
1. Thanks the Land Government of Hamburg for carrying out the extensive soil tests;
 2. Thanks the 'Tageszeitung' for reporting on the arsenic disaster on 5 February 1985;
 3. Calls on the competent authorities in the Federal Republic of Germany and Land Hamburg to initiate the procedures required for the immediate closure of the copper plant;
 4. Calls on the governments of the Member States of the European Community to determine arsenic levels in the areas surrounding closed-down or operational copper plants along the lines of the soil tests carried out in Hamburg;
 5. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States of the Community and the Senate of the Free and Hanseatic City of Hamburg.

MOTION FOR A RESOLUTION (Doc. 2-1774/84)

tabled by Mr KUIJPERS and Mr VANDEMEULEBROUCKE
pursuant to Rule 47 of the Rules of Procedure
on the pollution of the Scheldt and its tributaries

The European Parliament,

- A. whereas the Scheldt crosses national borders and is a river of European significance;
 - B. having regard to the economic importance of the Scheldt;
 - C. having regard to the importance of the Scheldt for leisure activities;
 - D. whereas RIZA investigations have revealed that the Scheldt is polluted with heavy metals;
 - E. whereas there is heavy industry along the Scheldt;
 - F. whereas the water quality charts produced by the Agence de l'Eau Artois Picardie indicate that the Scheldt is already heavily polluted in France;
 - G. having regard to the plans to build a flood-control dam on the left bank (Antwerp) which would endanger areas of natural beauty such as Blokkersdijk and Sint Annabos;
 - H. having regard to the EEC Directives concerning the discharge of substances in surface water;
1. Calls on the Commission to draw up an overall plan for combating pollution of the Scheldt;
 2. Calls on the states through which the Scheldt flows to set up a management committee for the Scheldt and its tributaries;
 3. Instructs its President to forward this resolution to the Council, the Commission, the French, Belgian and Netherlands Governments and the Regional Councils of Flanders and Wallonia.

MOTION FOR A RESOLUTION (Doc. 2-1883/84)

tabled by Mrs BLOCH VON BLOTTNITZ
pursuant to Rule 47 of the Rules of Procedure
on the introduction of binding limit values for arsenic
The European Parliament,

- A. having regard to the facts which came to light during the 'arsenic scandal' in Hamburg,
- B. having regard to a recent study in which scientists from Hamburg University tested soil samples from all regions of the Federal Republic of Germany to establish their arsenic levels,
- C. having regard to the results of this study which show that in half of the soil samples examined, the level of arsenic was above the guide value for the Federal Republic,
- D. whereas this guide value applies only in a limited number of cases,
- E. having regard to the very precise limit values for arsenic applicable in the USA,
 1. Notes that there has been a need for some time to establish a limit value for the Community given the undisputed fact that arsenic represents a major health hazard;
 2. Calls for a study of arsenic levels in soil, water and air in all Member States;
 3. Demands that the Commission should take immediate action and:
 - (a) draw up and submit to the European Parliament a proposal for a limit value taking account of results obtained and regulations applied throughout the world,
 - (b) monitor the investigations carried out in the Member States and check the results,
 - (c) propose practical measures which will be required following the introduction of a limit value and in the light of the results of the study;
 4. Instructs its President to forward this resolution to the Commission and the Member States.

tabled by Mrs SCHLEICHER, Mr MERTENS, Mrs LENTZ-CORNETTE, Mr ALBER, Mrs PEUS, Mr LAMBRIAS, Mr DALSSASS, Mrs BANOTTI, Mr STARITA, Mr MICHELINI and Mr PARODI pursuant to Rule 47 of the Rules of Procedure on the discharge of dangerous substances into the aquatic environment of the Community
The European Parliament,

- A - whereas pollution resulting from the discharging of certain dangerous substances into the aquatic environment of the Community is governed by Framework Directive 76/464/EEC,

whereas the Commission is to submit individual directives for the substances in List I ('black' list) and the Member States are to draw up programmes for reducing discharges of substances in List II ('grey' list), which, where appropriate, may subsequently be harmonized,

- B - whereas the Commission's communication to the Council concerning the dangerous substances in List I at present covers 108 such substances which still require further investigation in addition to 21 substances already having undergone further investigation, hence the Commission's proposal to incorporate these 129 substances into Annex I ('black' list), implying that individual directives will have to be drawn up for 129 substances,
- C - whereas, following the Council resolution of 7 February 1983, a total of 11 of the 108 substances mentioned have been incorporated into Annex I to the framework directive,
- D - whereas, since the adoption of the 1976 framework, five individual directives have been proposed and, of these, two have so far been adopted by the Council,
- E - whereas, at the present rate of progress, it will take some 170 years for legal provisions on all of the 129 dangerous substances in question to appear,

1. Calls on the Commission to submit a report to Parliament specifying :
 - (a) how many of these 129 substances, having similar properties, could be grouped together under a single draft directive,
 - (b) how many individual draft directives the Commission is intending to draw up,
 - (c) within what time-scale the Commission considers it reasonable to complete this work in order to enable present generations to benefit from the resultant provisions;
2. Considers that in certain specific areas of environmental protection
 - the legal provisions governing the most important dangerous substances covered by the directive on the aquatic environment being a case in point - the Council should take decisions on the basis of a qualified majority of votes.

MOTION FOR A RESOLUTION (Doc. B 2-242/85)

tabled by Mrs VAN HEMELDONCK, Mr COLLINS, Mrs WEBER, Mr BOMBARD and Mr MUNTINGH pursuant to Rule 47 of the Rules of Procedure on pollution of the Shannon river basin by heavy metals

The European Parliament,

- A. having regard to the Community action programme on the environment¹ which emphasizes the importance of combatting soil and water pollution by dangerous (waste) substances,
 - B. having regard to the Directive of 29 March 1977 on biological screening of the population for lead,
 - C. whereas the spread of heavy metals such as lead, cadmium and mercury constitutes a danger to public health, animals and the environment,
 - D. whereas a lead and zinc mine was operated by a subsidiary of MOGUL (Canada) at Gortmore, near Nenagh in County Tipperary in Ireland from 1968 onwards and when the operation was closed down in 1982, 9 million tonnes of waste were left behind in a tip covering 148 acres (60 hectares), the lead content of this material amounting to between 5000 and 9000 p.p.m. (0.5 to 0.9%); and whereas this tip also contains unknown quantities of other dangerous substances and heavy metals (cyanide, zinc, arsenic),
 - E. whereas in unfavourable wind conditions the fine material may be carried over a distance of several kilometres and whereas extremely high levels of lead have been found on the grass, in soil and on vegetables in the area thus constituting a threat to the health of the inhabitants of the surrounding farms and for their livestock, and whereas there is a real risk of contamination of the groundwater,
 - F. whereas the drainage water is not filtered in any way before it enters a tributary of the River Shannon, with the risk of serious pollution of the Shannon by heavy metals,
 - G. whereas neither the company responsible for the pollution nor the Irish Government has taken adequate measures to stop this pollution,
1. Calls on the Irish Government and the Commission to take urgent measures to:
 - determine the exact degree of pollution of the air, soil and ground and surface-water in the area by heavy metals;
 - protect the local population against lead poisoning;
 - determine the degree of pollution of the River Shannon and its tributaries;
 - filter drainage water from the tip, as an interim measure;
 - make arrangements for the final disposal of the total quantity of waste from the mine;
 2. Instructs its President to forward this resolution to the Commission, Council and the governments and parliaments of the Member States.

¹ OJ No. C 112, 20.12.1973
 OJ No. C 139, 13.6.1977
 OJ No. C 46, 17.2.1983