

MEMORANDUM

c.c. DEU
DIE
*926 451 P. S
milieu*

Van: PLW. DES

Aan: T, via DGES en S

Onderwerp: Brits Aide-Memoire over ENV 131

Datum: 26 september 1975

nr. 825/75

*29/9**DGES/archy*

.1.

De heer Sankey van de Britse Ambassade heeft bijgaand Aide-Memoire heden aangeboden. In dit Aide-Memoire wordt gesteld dat de ontwerp-beschikking inzake lozing van gevaarlijke stoffen in oppervlaktewater in de Gemeenschap (ENV 131) belangrijke praktische en economische implicaties zowel voor het VK als vermoedelijk ook voor andere lidstaten met zich meebrengt.

De Britse Regering dringt er dan ook op aan, dat de Milieuraad van 16 oktober niet over gaat tot aanvaarding van de ontwerp-beschikking. Wel zouden de Ministers tijdens deze Milieuraad van gedachten kunnen wisselen over de wijze waarop de Gemeenschap in de toekomst de waterverontreiniging zou kunnen tegengaan. De ontwerp-beschikking zoals die thans voorligt gaat de Britten veel te ver.

Ik heb de heer Sankey gezegd dat de Duitsers er sterk op aan dringen dat de ontwerp-beschikking ENV 131 wel op de Milieuraad van 16 oktober wordt aanvaard, en dat als de BRD bij dit standpunt blijft ook Nederland alles in het werk zal stellen om een acceptabele beschikking aan te nemen, omdat de BRD dit als voorwaarde stelt voor aanvaarding van het ontwerp Rijn Chemie akkoord. Hoe het Nederlandse standpunt in deze zal zijn hangt ook af van het gesprek dat U zult hebben begin volgende week met Staatssecretaris Hartkopf.

De heer Sankey vroeg mij U dit Aide-Memoire toe te sturen avant Uw vertrek naar Bonn.

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1) Is er een groot nieuw gedifferentieerde
beleid? Uitvoerbaar overal

2) Invloed ENV 131 wel van belang

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AIDE-MEMOIRE

The draft decision on dangerous substances in the aquatic environment, ENV 131, is one of the items proposed for the Agenda of the Council of Ministers (Environment) meeting on 16 October, though it has yet to be considered by the Committee of Permanent Representatives.

This proposal raises a fundamental issue as to the action which it is appropriate to take at Community level to ensure effective control of water pollution and carries implications which extend well beyond its immediate target.

What is put forward in the draft proposal is a method of control for dangerous substances in the aquatic environment based on a system of uniform minimum standards regulating the amounts of individual pollutants allowable in discharges of industrial or sewage effluents. These standards would apply throughout the Community, without regard for differing environmental circumstances.

So far the approach that has been adopted at Community level, and which figures in the environmental programme adopted by Ministers in November, 1973, has been based on

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quality objectives for the environment rather than for the discharge. It has been left to member states, and controlling authorities in member states, to decide what methods of control and what standards for individual discharges it was necessary to impose to ensure that quality objectives for the environment were achieved.

We recognise that some member states supplement, or plan to supplement, the setting of quality objectives with some degree of national uniformity in minimum standards to be met by discharges of particular substances or from particular industries.

This is not an approach which the British Government have adopted. Partly because of our geographical situation with a long coastline and with considerable variation in the capacity of our environment to absorb waste, we have attached over-riding importance to seeing that controls are tailored to local circumstances. The required degree of treatment for the discharge and the standards imposed are determined in the light of the capacity of the receiving water to absorb and neutralise a certain pollution load, and of the use to which the particular water is put. Since these factors can vary

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considerably from place to place, for example from a trout stream to a large estuary, the appropriate standard for an emission will also vary.

From the economic point of view the importance of our approach lies in the fact that it results in the strict allocation of resources in relation to the specific needs of the environment in each particular case. Uniform standards imposed throughout the Community, as is proposed under ENV 131, would lead in some cases to a higher degree of effluent treatment than was in fact necessary, resulting in a waste of limited resources which could be used more effectively in other ways for the improvement of the environment.

We therefore wish to make it clear that for the British Government the draft decision carries serious practical and economic implications. It also raises for all member states the new and fundamental issue of whether it is appropriate for Community action on water pollution to include the setting of uniform minimum standards for discharges. This issue has not appeared before on the Agenda for an Environment Council and Community Ministers have yet to discuss it together. The British Government do not feel in a position to reach a conclusion

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clusion on the draft decision at this stage before there has been any consideration in the Council of the general principles involved. We propose that at the forthcoming Council Ministers should not seek to decide for or against adoption of the draft decision but should take this first opportunity to have a full discussion and exchange of views on the means by which Community action on water pollution should be developed in the future.

The British Government hope that the Governments of other member states will be able to agree to this proposal, which we have put forward as the best way of enabling progress to be made at the Council.

BRITISH EMBASSY

THE HAGUE

September 26th 1975

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