



EurEau recommendations for the revision of REACH

Towards a water resilient chemicals policy

Introduction and key messages

REACH is the main instrument for regulating chemicals on the European market. Effective and efficient chemicals legislation is essential for the health of human beings, the environment, a true water resilience and a competitive circular economy. In 2024, the European Environmental Agency reported that less than 1/3 of the European waters are of good chemical status. This fact together with the ongoing PFAS crisis in the EU are obvious signs that EU chemical legislation, including REACH, needs strengthening. The rules have clearly failed to prevent that hazardous and persistent chemicals such as PFAS became abundant in our blood, in food, soil, air, rainwater, seawater, surface water, groundwater, including in drinking water resources. A revision of REACH must ensure that another PFAS-like crisis cannot happen again in the future.

Seven key messages

1. Ensure the REACH revision does not lead to the detriment of health protection, water resilience, a competitive circular economy and critical infrastructures such as drinking water and wastewater services.
2. Ensure the protection of drinking water resources to avoid expensive and energy-intensive extra treatment by drinking water service providers in line with the Water Framework Directive (WFD, Art. 7(3)) and avoid the release of hazardous substances into wastewater at the source.
3. Classify PMT and vPvM substances as substances of very high concern, as their intrinsic properties pose serious long-term risks for the quality of drinking water resources, other uses and the aquatic life.
4. Maintain and improve the Authorisation Procedure, as it drives innovation and substitution by phasing out SVHCs. Explicitly include this phase-out goal in all regulatory tools (including all restrictions), if the authorisation process is weakened.



5. Extend the Generic Risk Assessment (GRA) approach and introduce a **“fast-track” restriction mechanism** when substances meet certain hazard classes including PMT and vPvM.
6. Implement a prompt and far-reaching ban of all PFAS uses under (the current) REACH and facilitate group restrictions in the revised REACH.
7. Include detailed rules of Mixed Assessment Factors (MAF) in the revised REACH Regulation and ensure coherence with the WFD, the Environmental Quality Standards Directive, the Groundwater Directive, the Waste Framework Directive etc. on the basis of the ‘one substance – one assessment’ principle.

1. Water resilience and chemicals pollution

Access to safe and affordable water and sanitation services is a **human right**. Well-functioning and resilient water services are the foundations for a **competitive European economy**. This is why the European Union sees water service providers as **critical entities**¹ and essential to maintaining **vital societal functions**².

However, as the Water Resilience Strategy points out, “highly persistent pollutants, such as PFAS, keep accumulating across EU waters ...” In addition to the health impacts that amount to €52-84 billion annually, the Strategy states that “the economic cost of cleaning PFAS contamination in Europe has been estimated to range from EUR 5 to 100 billion a year”³.

The Strategy also highlights that “water and marine pollution, including from microplastics, must be tackled at source or across pathways in line with the Zero Pollution Action Plan”. REACH has a crucial role to play in this context. Putting the burden of de-contamination on the shoulders of water service providers will substantially reduce their capacity to **support resilient, circular and energy efficient societies**. This applies to drinking water service providers but also wastewater operators. REACH must support them in improving not only the quality of drinking water resources, but also that of the wastewater effluent and sewage sludge to protect aquatic life and support resource recovery.

Without an effective REACH, many of the potential circular flows will remain non-viable or even impossible in sectors ranging from textiles to paper and plastics.

Proposal:

¹ Directive 2022/2557 on the resilience of critical entities.

² Preparedness Union strategy.

³ https://environment.ec.europa.eu/publications/european-water-resilience-strategy_en.



- ~ REACH must become the basic European tool to ensure **control-at-source** and the application of the **pre-cautionary principle** to chemicals.

2. PMT/vPvM substances must be regulated

REACH should apply the definitions given in the Classification, Labelling and Packaging (CLP) Regulation and classify persistent, mobile and toxic (**PMT**), and very persistent, very mobile (**vPvM**) substances as **substances of very high concern**, as their intrinsic properties pose **serious long-term risks for the quality of drinking water resources, mineral water sources and the aquatic life**. EurEau disagrees with the Commission's intention to reduce the use of the Authorisation Procedure, as it drives innovation and substitution by phasing out SVHCs. If the Commission decides to maintain this choice, the phase-out aim needs to be explicitly incorporated in all regulatory tools (including all restrictions).

Proposals:

- ~ **Maintain and expand Article 57 criteria** to explicitly include **PMT/vPvM** as an **additional SVHC hazard class** in line with the revised CLP Regulation.
 - Revise **Annex XIII** to set **clear criteria for PMT/vPvM** as defined in the CLP regulation.
- ~ Introduce **mandatory testing** for persistence and mobility for all substances during registration (art. 10-12).
- ~ Add PMT/vPvM substances as SVHCs to the **Authorisation List (Annex XIV)**.
- ~ Introduce **restrictions (Annex XVII)** for PMT/vPvM used in consumer products, where emissions to water cannot be excluded.
- ~ Require **explicit communication** of PMT/vPvM properties in **Safety Data Sheets (Annex II)**.
- ~ Require downstream users to **assess and report** the potential for **emissions to water**.
- ~ Create an **obligation for REACH registrants** to check whether **drinking water and wastewater treatment** could lead to the formation of hazardous compounds (in line with Regulation 1107/2009, Article 4).
- ~ Establish data-sharing between REACH and:
 - **Water Framework Directive (2000/60/EC)** monitoring.
 - **Urban Wastewater Treatment Directive (91/271/EEC)** treatment performance and sludge quality data.



3. Extension of the Generic Risk Approach (GRA)

In line with article 191.2 of the TFEU, any sustainable chemicals strategy must start from **control-at-source** measures and apply the **Precautionary Principle**.

EurEau does not support the Commission's considerations to reduce the hazard classes covered by GRA restrictions. On the contrary, the **GRA should be extended** to all chemical substances and their degradation products so that they are regulated according to the intrinsic hazards they pose.

REACH explicitly takes into account the risks posed by indirect exposure of humans via the environment through consumption of food, drinking water and inhalation of air, which are influenced by releases of substances into the environmental compartments of air, water and soil. We advocate for an adjustment of the risk characterisation, so that it also comprises a general life cycle assessment of the effects of releases on water quality – especially if relevant to drinking water resources - and on the possibility to achieve the goals of the WFD and the Drinking Water Directive (DWD).

Proposals:

- ~ Broaden the scope of art. 68(2) to include automatic restrictions for additional high-concern hazard classes: including endocrine disruptors (ED), Persistent, Mobile and Toxic (PMT), and Very Persistent, Very Mobile (vPvM).
- ~ Create a new Annex defining GRA Hazard Classes
 - o GRA should **automatically apply to the art. 68 hazard classes in articles**
- ~ Add a **'fast-track' restriction mechanism** to Annex XVII to be applied when substances meet the above hazard classifications (no full risk assessment).

4. PFAS pollution illustrates the need for group restrictions

Most PFAS are persistent and mobile, while others are bio-accumulative. They therefore represent a massive threat to water services and Europe's water resilience in general. Due to their exorbitant societal costs, complex technical issues including for waste management, the lack of appropriate treatment technologies for wastewater treatment (scalability, effectiveness, energy and climate impacts), and the burden we put on future generations, EurEau strongly advocates in favour of a prompt and far-reaching PFAS ban for products made inside and outside the EU⁴.

The group restriction proposal, currently prepared by ECHA (UPFAS) is the only feasible way to regulate thousands of substances with similar concerns in parallel and to avoid regrettable substitutions, as we witness not only with PFAS, but also with bisphenols. This becomes even more urgent when looking at rising PFAS concentrations in the environment, including in drinking water resources. At the same time, the Commission

⁴ See also [EurEau | PFAS phase out a pre-requisite for a water resilient Europe.](#)



is likely to propose a DWD revision leading to significantly lower PFAS limit values for drinking water.

We understand that ECHA's UPFAS work takes place under the current REACH version. As the initiative shows, group restrictions are already possible, but procedures need facilitating.

Proposals:

- ~ **Strengthen the consideration of benefits** in ECHA's socio-economic analysis. Currently, the avoided costs (for example for extra water treatment) and the environmental benefits (for example less products and materials used for extra treatment) are not sufficiently taken into account).
- ~ Facilitate a group approach and add clear **criteria for grouping**, such as shared intrinsic properties (e.g. PMT/vPvM), similar uses or release pathways, common exposure routes (e.g. drinking water contaminants), similar toxicity to Article 68.
- ~ Require **early grouping** at Substance Registration (art. 10–12, Annexes VII–X).
- ~ Streamline the restriction proposal process by allowing:
 - o Single impact assessment for the entire group.
 - o Simplified socio-economic analysis (aggregated per group).

5. Mixed Assessment Factors increase protection levels

EurEau supports the **application of Mixed Assessment Factors (MAF) to priority chemicals** and their inclusion in the authorisation process of chemicals. The forthcoming REACH revision should provide the framework to achieve this.

- ~ Include detailed rules of MAF in the revised REACH Regulation.
- ~ **Ensure policy coherence with the WFD**, the Environmental Quality Standards Directive and the Groundwater Directive based on the 'one substance – one assessment' principle.
- ~ Consider **additional health endpoints** than those used by REACH until now.

About EurEau

EurEau represents Europe's drinking and wastewater sector. We encompass 38 national water services associations including public and private operators from 33 countries.

Together we promote the access to safe and reliable water services for Europe's citizens and businesses, the management of water quality and resource efficiency through effective environmental protection.