

SUMMARY

DELIVERABLE A.1: Analysis of the actual policies and directives related to the environmental problem targeted and identification of future priorities

Delivery Date: 31/03/2018

The **objective** of action A.1 was to describe the legal framework for water management in relation to mining in Europe, especially in Germany, Spain and United Kingdom. DGRC, with the support of all partners, has made an extensive review of the different waste management, mining and water quality policies and directives at European, Spanish, British and German level in order to cover the whole range of legislation that could affect the environmental problem targeted in the LIFE DEMINE project.

In summary, the **information collected** in this action gives an overview about:

- The law frame of after mine water treatment,
- The relationship between mine law and water law,
- The relationship between waste law and mine law.
- A comparison of water limit values.

To acquire all the data used to prepare the report, different **information sources** were used, being the main ones:

- Internet: each member state publishes its legal texts on the Internet. (e.g. Germany: www.juris.de; www.gesetze-im-internet.de; Spain: <https://www.boe.es/buscar/>; UK: <http://www.legislation.gov.uk/>). These were called up with regard to the water and environmental laws.
- Law databases: The European Commission operates a platform with all directives in all European languages. This platform was used as a source for the official texts of the EU directives. (<https://eur-lex.europa.eu/>)
- Literature of law science: it was only partially possible to view legal literature. German legal literature was used (e.g. Journal of Environmental Law <http://www.zur.nomos.de/>; Journal of Environmental Law and Policy <http://www.dfv.de/portfolio/medien/ZfU---Zeitschrift-fuer-Umweltpolitik--Umweltrecht-58>)

The **final output** of Action A.1 is a **database** with the most important national laws that implement the EU Water Framework Directive (WFD) in the countries involved in the project. This database lists the laws and compares the limit values of the water quality of groundwater and surface water between these countries.

The **database contains** the following tables:

Law Database: Environmental and Water Laws of the project participant states, that converts the EU Directives into national law.

Source: Description of data sources of laws.

Surface Water: Comparison of threshold values concerning surface water (UK, Spain, Germany)

#Groundwater: Comparison of threshold values concerning groundwater (UK, Spain, Germany)

# Law Database	
Field	Description
Law field	Water Mine Waste ...
EU Directive Number	The number of the Directive
EU Directive Titel	The english titel of the Directive
Date	Date of Dricteve / last change of directive
State	abbreviation of member state
Water Body	SW - Surface water GW - Groundwater CW - Costal water body S - Soil W - Waste
State Law	Name of the state law, what transfer the European Direction into state law
Date / last change	Date of Law / last change of law
Sorce of law	law gazette
Source of dataset	link to field in the table #Source
Describtion	free description of the dataset

Figure 1: Metadata of law database

The **main conclusions** arising from Action A.1 are the following:

- Several administrations and sectorial departments have competence over wastewater from abandoned mines. In many cases, the administration that must deal with the treatment of mine effluents is not clearly identified. Regulations should clearly identify the administration responsible for treating the wastewater.
- The criteria used by member States for the declaration of the “National inventory of dangerous extractive industries to health or the environment” are not clear. Administrations responsible for water management should perform a periodic sampling on those mining effluents from abandoned mines considered to be of greatest risk, following by a risk analysis with regard to the river that received these effluents.
- The European legislation does not establish thresholds for most metal pollutants despite its recognized toxicity for the environment. Each Member State defines their own limits. This create a great disparity in thresholds limits across Europe that should be unified.

- In the European legislation, salinization of freshwaters is not considered an important problem and no legally prescribed environmental quality standards exists for salt. Salinity standards for specific ions and ion mixtures, not just for total salinity, should be developed to protect freshwaters.

For more information on this deliverable, contact info.beta@uvic.cat