



Joint position of the European Sea Ports Organisation (ESPO) and the Federation of European Private Port Companies and Terminals (FEPORT) on the proposed amendments to the Water Framework Directive (WFD) and Environmental Quality Standards Directive (EQSD)

The European Sea Ports Organisation and the Federation of European Private Port Companies and Terminals (FEPORT) welcome the revision of the Water Framework Directive (WFD) and Environmental Quality Standards Directive (EQSD).

Water is of vital importance to European ports, not only for operational purposes where ports depend on water for accessibility but also for the port community and stakeholders. Industries rely on clean water for advanced technical processes, and communities in and around ports depend on a healthy environment to work and live in. European ports have long demonstrated leadership in managing sediment and water quality, reflecting years of dedicated efforts to improve water quality.

The quality of water is a critical issue for European ports, impacting both operational needs and ecosystems. While ports have made significant efforts to improve water and sediment quality, achieving the WFD objectives by the end of 2027 is unattainable without **robust transboundary cooperation** and **significant progress on the Programmes of Measures** (Articles 4 & 11 of the WFD).

Seaports are often located at the downstream end of European river basins, where they accumulate sediments and contaminants carried from across the entire basin. Consequently, water quality in seaports is heavily influenced by upstream inputs and can only improve through **effective source control** beyond the direct scope of seaports.

The actual framework conditions on many waterways are extremely difficult and often require technically complex (individual) solutions. The planning and approval processes on large bodies of water with the diverse overlapping concerns and usage requirements are complex and lengthy. The current wording in the WFD regarding postponement beyond 2027 "due to natural conditions" needs to be more precise and practical.

Europe's waters continue to be impacted by chemicals, predominantly by atmospheric pollution, diffuse pollution from e.g. agriculture and point sources such as from wastewater discharges, and leakage from industrial wastelands or (historical) mining. Industrial actors within ports are also in charge of improving their discharges. Furthermore, ports are confronted with ubiquitous substances, including PFAS. In 2021, only 37% of Europe's surface water bodies achieved a good chemical status¹. Without significant improvements in upstream water quality, port waters and sediments cannot meet WFD objectives or national quality criteria.

In its revision of the WFD and EQSD, the European Commission has proposed introducing stricter environmental quality standards (EQS) for pollutants and adding new substances such as PFAS as one step towards the zero-pollution targets of the European Green Deal. In principle, we welcome and

¹ *Europe's state of water 2024 – The need for improved water resilience, EEA Report 07/2024, European Environment Agency, Denmark – accessible [here](#)*

support the Zero Pollution Strategy, as a means to protect human health and biodiversity and reduce upstream pollution inputs into seaports.

However, European ports have several concerns regarding the proposed amendments.

As mentioned above, seaports, situated at the downstream end of river basins, accumulate pollutants in sediments and waters from upstream. Seaports have (mainly) limited control over contamination levels impacting water and sediment quality.

Moreover, dredging is essential for maintaining navigability and infrastructure development. Stricter EQS may complicate licensing procedures, hindering these activities.

Persistent pollutants like tributyltin (TBT), despite already being phased out, remain in sediments. Proposed EQS are often unattainable within WFD deadlines. Ubiquitous substances like PFAS challenge compliance due to their widespread presence and incomplete understanding of their distribution.

Achieving EQS for legacy contaminants in sediments may necessitate **significant investments in disposal and treatment facilities**, which could impose substantial financial burdens on ports. Removing large volumes of sediment from the natural aquatic system rather than relocating this sediment within the system, may also compromise aquatic habitats, potentially undermining the WFD ecological objectives. Additionally, dealing with ubiquitous substances has notably increased the costs of infrastructure projects, including expenses related to the purification of groundwater.

Following the 2008 ban on tributyltin on all ships and offshore installations, mean concentrations in sediment in the southern North Sea have decreased measurably and are very low or undetectable elsewhere². TBT levels in sediments will continue to decrease in the future due to the relatively short half-life of TBT.

Therefore, ESPO and FEPOR ask the co-legislators to take into account the following recommendations:

- A balanced approach to pollution control for the entirety of the river basin is essential. The unique challenges faced by ports, such as the relocation of existing contamination through activities such as dredging and the management of drainage water, must be acknowledged.
- Operations addressing legacy pollutants should be excluded from the non-deterioration principle.
- Practical environmental quality standards for ubiquitous substances should be introduced, considering technological limits and natural remediation processes. Gaps in measurement techniques for reliable compliance assessments must be addressed.
- Transboundary cooperation must be strengthened by enhancing collaboration within International River Commissions to tackle upstream pollution sources. The current 'shift of responsibility' from original polluters to ports must be prevented, and source-based monitoring and remediation should be prioritised over end-of-pipe solutions.
- Mechanisms to reaffirm the 'polluter pays principle' must be established, to avoid such undue burdens on ports.
- Sustainable port growth should be supported by facilitating infrastructure development for the energy transition and TEN-T network expansion while meeting environmental goals.

Finally, we welcome the Council's proposed amendments to Article 4(7) of the Directive amending the WFD. The relocation of pollution (e.g. from groundwater to surface water) or the relocation of sediment, both without adding pollution, should not be considered as deterioration in accordance with

² *Status and Trends of Organotin in Sediments in the Southern North Sea* (ospar.org)

the WFD. We fully support the Council's position in this regard. As a result, the maintenance of waterways must be guaranteed.

In conclusion, European port actors are committed to achieving the objectives of the WFD and have already demonstrated leadership in managing sediment and water quality. However, meeting these goals requires **pragmatic policies that balance environmental protection with operational feasibility**. ESPO and FEPORT urge policymakers to consider the recommendations outlined in this position paper to ensure a sustainable future for European ports.



The European Sea Ports Organisation (ESPO) represents the port authorities, port associations and port administrations of the seaports of 22 Member States of the European Union including Norway at political level. ESPO has also observer members in Albania, Iceland, Israel, Montenegro, Ukraine and the United Kingdom. ESPO is the principal interface between the European seaport authorities and the European institutions. In addition to representing the interests of European ports, ESPO is a knowledge network which brings together professionals from the port sector and national port organisations. ESPO was created in 1993.



FEPORT represents the interests of 2,290 private seaport companies and operators who perform cargo handling and logistics related activities in the seaports of the European Union, Norway and Turkey. FEPORT members employ around 400,000 port workers and have invested in the last ten years over EUR 70 billion to enhance the attractiveness and competitiveness of European seaports.