

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DECISION

of 12 December 1977

establishing a common procedure for the exchange of information on the quality of surface fresh water in the Community

(77/795/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(2)</sup>,

Whereas the 1973 <sup>(3)</sup> and 1977 <sup>(4)</sup> programmes of action of the European Communities on the environment provide for the introduction of a procedure for the exchange of information between the pollution surveillance and monitoring networks;

Whereas such a procedure is necessary to determine the pollution levels of the rivers in the Community and consequently to lay down guidelines for the control of pollution and nuisances, which is one of the Community's objectives in respect of the improvement of living conditions and the harmonious development of

economic activities throughout the Community; whereas no provision is made in the Treaty for the specific powers required for this purpose;

Whereas such an exchange of information on pollution levels is one of the means of monitoring the long-term trends and the improvements resulting from the application of current national and Community rules;

Whereas the exchange of information provided for in this Decision should allow for as significant a comparison as possible of the results obtained in the sampling and measuring stations;

Whereas the exchange of information provided for in this Decision would lay the foundations for a system for monitoring surface fresh-water pollution at Community level and could constitute a component of the global environmental monitoring system provided for in the United Nations environment programme;

Whereas to attain these objectives the Member States must forward to the Commission data relating to certain parameters for surface fresh water; whereas the Commission will draw up a consolidated report which it will transmit to the Member States;

Whereas the list of stations in Annex I may, with advantage, be modified by the Commission at the request of the Member State concerned, provided that certain criteria are fulfilled;

Whereas technical progress requires that the technical specifications laid down in Annex II to this Decision should be adapted promptly; whereas, to facilitate the

(1) OJ No C 178, 2. 8. 1976, p. 48.

(2) OJ No C 285, 2. 12. 1976, p. 10.

(3) OJ No C 112, 20. 12. 1973, p. 3.

(4) OJ No C 139, 13. 6. 1977, p. 3.

implementation of the measures required for this purpose, provision must be made for a procedure establishing close cooperation between the Member States and the Commission within the Committee for the adaptation of this Decision to technical progress,

HAS ADOPTED THIS DECISION:

#### *Article 1*

A common procedure for the exchange of information on the quality of surface fresh water in the Community is hereby established.

#### *Article 2*

1. For the purposes of this Decision 'sampling or measuring stations' means the stations listed in Annex I.
2. The information concerning the parameters listed in the first column of Annex II covered by the exchange of information shall be:
  - (a) the results of the measurements carried out by the sampling or measuring stations;
  - (b) a description of the sampling, sample preservation and measuring methods used and the frequency of sampling.

#### *Article 3*

1. Each Member State shall designate a central agency and inform the Commission thereof within 15 days of the notification of this Decision.
2. The information referred to in Article 2 (2) shall be forwarded to the Commission through the central agency in each Member State.
3. The data referred to in Article 2 (2) (a) shall be presented according to the modes of expression and with the significant figures set out in the second and third columns of Annex II.
4. The information, covering a calendar year, shall be forwarded to the Commission at least every 12 months.
5. The Commission shall draw up annually a consolidated report based on the information referred to in Article 2 (2). The part of the draft of this report concerning the information supplied by a Member State shall be sent to the central agency of that Member State for verification. Any comments on the draft shall be

included in the report. The final version shall be forwarded to the Member States.

6. The Commission shall assess the effectiveness of the procedure for the exchange of information and, within not more than three years of the notification of this Decision, shall submit proposals, where appropriate, to the Council with a view to improving the procedure and, if necessary, harmonizing the methods of measurement.

#### *Article 4*

1. Member States shall forward the information referred to in Article 2 (2) through their central agencies for the first time within six months of the notification of this Decision.
2. The first information to be exchanged shall be that available in the calendar year preceding the notification of this Decision.

#### *Article 5*

1. The list in Annex I may be amended by the Commission on a request from the Member State concerned.
2. The Commission shall make such amendments when it is satisfied that the following requirements are met:
  - that the list of sampling or measuring stations for each Member State is sufficiently representative for the purposes of this Decision,
  - that the stations are at points which are representative of water conditions in the area around and not directly and immediately influenced by a source of pollution,
  - that they are capable of measuring at regular intervals the parameters in Annex II,
  - that they are as a general rule not more than 100 kilometres apart on main rivers, not including tributaries,
  - that they are upstream of any confluences and not on tidal stretches of water.
3. The Commission shall inform the Council of any amendments which it has accepted.
4. The Commission shall submit for decision by the Council any requests for amendments which it has been unable to accept.

*Article 6*

Amendments necessary to adapt the list of parameters and the modes of expression and significant figures in respect thereof set out in Annex II to technical progress shall be adopted in accordance with the procedure laid down in Article 8, provided that any additions to the list involve only parameters covered by Community law and for which data are available in all sampling and measuring stations of the Member States. Any changes in the modes of expression and significant figures must not involve changes to the methods of measurement used by the Member States in the various stations in Annex I.

*Article 7*

1. A Committee for the adaptation of this Decision to technical progress (hereinafter referred to as the 'the Committee') is hereby set up, consisting of representatives of the Member States with a representative of the Commission as Chairman.

2. The Committee shall adopt its own rules of procedure.

*Article 8*

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Committee by its chairman, either on his own initiative or at the request of a representative of a Member State.

2. The Commission representative shall submit to the Committee a draft of the measures to be taken. The Committee shall give its opinion on the draft within a time limit set by the chairman according to the urgency of the matter. Opinions shall be delivered by a majority of 41 votes, the votes of the Member States being weighted as provided for in Article 148 (2) of the Treaty. The chairman shall not vote.

3. (a) Where the measures envisaged are in accordance with the opinion of the Committee, the Commission shall adopt them.

(b) Where the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal on the measures to be taken. The Council shall act by a qualified majority.

(c) If within three months of the proposal being submitted to it the Council has not acted, the proposed measures shall be adopted by the Commission.

*Article 9*

This Decision is addressed to the Member States.

Done at Brussels, 12 December 1977.

*For the Council*

*The President*

L. DHOORE

## ANNEX I

LIST OF SAMPLING OR MEASURING STATIONS INVOLVED  
IN THE EXCHANGE OF INFORMATION

## FEDERAL REPUBLIC OF GERMANY

Sampling or measuring stations		List of rivers
Maxau	362.3 km downstream of the Rhine bridge at Constance	Rhine
Mainz	498.5 km downstream of the Rhine bridge at Constance	Rhine
Koblenz/Braubach	590.3 km downstream of the Rhine bridge at Constance	Rhine
Palzem	230.3 km upstream of the confluence with the Rhine	Moselle
Koblenz/Moselle	2 km upstream of the confluence with the Rhine	Moselle
Kleve/Bimmen	864.95 km downstream of the Rhine bridge at Constance at the point where the river leaves the Federal Republic of Germany	Rhine
Goch	21.4 km upstream of the confluence with the Meuse	Niers
Herbrüm	284.9 km from the source (212.04 Canal km)	Ems
Hemeln	11 km downstream of the confluence of the Werra and the Fulda	Weser
Intschede	329.7 km downstream of the confluence of the Werra and the Fulda	Weser
Geesthacht	113 km downstream of the entry of the river into the Federal Republic of Germany (584.5 Elbe km)	Elbe
Jochenstein	2 203 km upstream of the mouth of the Danube	Danube

## BELGIUM

Sampling or measuring stations		List of rivers
Warneton	downstream of the confluence with the Deule	Lys
Leers-Nord	at the point where the river enters Belgium	Espierre
Doel	at the point where the river leaves Belgium	Scheldt
Bléharies	at the point where the river enters Belgium	Scheldt
Erquelinnes	at the point where the river enters Belgium	Sambre
Heer-Agimont	at the point where the river enters Belgium	Meuse
Lanaye-Ternaaien	at the point where the river leaves Belgium	Meuse
Martelange	at the point where the river leaves Belgium	Sure
Zelzate	at the point where the river leaves Belgium	Ghent-Terneuzen Canal

## DENMARK

Sampling or measuring stations		List of rivers
Nåby	Station No 57.12	Suså
Nr Broby	Station No 45.01	Odense Å
Tvilum bro	Station No 21.01	Gudenå
Ahlergård	Station No 25.05	Skjern Å

## FRANCE

Sampling or measuring stations		List of rivers
Méry	upstream of the confluence with the Aube (St 6 000)	Seine
Montereau	upstream of the confluence with the Yonne (St 14 000)	Seine
Melun	(St 47 000)	Seine
Paris	Tolbiac Bridge (St 81 000)	Seine
St Rambert	Andrézieux Bridge downstream of St Rambert (St 9 000)	Loire
Roanne	Villecrest Bridge upstream of Roanne (St 13 000)	Loire
Orléans	downstream of Orléans (St 51 000)	Loire
Nantes	upstream of Nantes (St 137 000)	Loire
Toulouse	downstream of Toulouse (St 161 000)	Garonne
Lamagistère	downstream of the confluence with the Aveyron (St 117 000)	Garonne
Couthures	near Couthures, downstream of the confluence with the Avance (St 81 000)	Garonne
Auxonne	France Bridge (St 11 000)	Saône
Mulatière	upstream of the confluence with the Rhone (St 59 000)	Saône
Pont Carnot	downstream of Lake Geneva and upstream of the Génissiat Dam (St 67 000)	Rhône
Lyon	upstream of the confluence with the Saône at the Poincaré Bridge (St 98 000)	Rhône
St Vallier	upstream of the confluence with the Isère (St 104 000)	Rhône

## IRELAND

Sampling or measuring stations		List of rivers
Slane Bridge	approximately 12 km downstream of Navan (N 96 74)	Boyne
Corofin Bridge	approximately 19 km downstream of Tuam (M 42 43)	Clare
Graiguenamanagh Bridge	approximately 29 km downstream of Muine Bheag (Bagenalstown) (S 71 44)	Barrow
Killavullen Bridge	approximately 13 km downstream of Mallow (W 65 99)	Blackwater (Munster)

## ITALY

Sampling or measuring stations		List of rivers
Ponte d'Adige	308 km upstream of the mouth	Adige
Trento	253 km upstream of the mouth	Adige
Badia Polesine	66 km upstream of the mouth	Adige
Meirano	591 km upstream of the mouth	Po
Cremona	281 km upstream of the mouth	Po
Boretto	216 km upstream of the mouth	Po
Borgo Forte	184 km upstream of the mouth	Po
Pontelagoscuro	91 km upstream of the mouth	Po
Ponte degli Albergi	38 km upstream of the mouth	Metauro
Subbiano	178 km upstream of the mouth	Arno
Nave di Rosano	120 km upstream of the mouth	Arno
Capraia	70 km upstream of the mouth	Arno
San Giovanni alla Vena	37 km upstream of the mouth	Arno
Ponte Felcino	300 km upstream of the mouth	Tiber
Ponte Nuovo	273 km upstream of the mouth	Tiber
Roma	43 km upstream of the mouth	Tiber

## GRAND DUCHY OF LUXEMBOURG

Sampling or measuring stations		List of rivers
Wasserbillig	upstream of the confluence with the Moselle	Sûre

## NETHERLANDS

Sampling or measuring stations		List of rivers
Lobith	at the point where the river enters the Netherlands	Upper Rhine
Kampen	133 km downstream of the point where the Rhine enters the Netherlands	Ijssel
Gorinchem	93.5 km downstream of the point where the Rhine enters the Netherlands	Upper Merwede
Vreeswijk	89 km downstream of the point where the Rhine enters the Netherlands	Lek
OM 42	Puttershoek, 120 km downstream of the point where the Rhine enters the Netherlands	Oude Maas
NM 34	near the island of Brienenoord, 134 km downstream of the point where the Rhine enters the Netherlands	Nieuwe Maas

## NETHERLANDS (continued)

Sampling or measuring stations		List of rivers
Eijsden	4.5 km downstream of the point where the Meuse enters the Netherlands	Meuse
Lith	201 km downstream of the point where the Meuse enters the Netherlands	Meuse
Keizersveer	248 km downstream of the point where the Meuse enters the Netherlands	Bergse Maas
H 9	Haringvlietbrug (Haringvliet Bridge)	Haringvliet
H 12	near the Haringvlietdam	Haringvliet
IJ 17	at the mouth of the Keteldiep, 143 km downstream of the point where the Rhine enters the Netherlands	Keteldiep
IJ 23	centre of Lake IJssel	Lake IJssel

## UNITED KINGDOM

Sampling or measuring stations		List of rivers
Chollerford	6 km upstream of the confluence (NY 919 706)	North Tyne
Warden Bridge	800 m upstream of the confluence (NY 910 660)	South Tyne
Wylam Bridge	immediately upstream of the tidal limit (NZ 119 645)	Tyne
Derwenthaugh	1.3 km upstream of the tidal limit (NZ 187 607)	Derwent
Whitford Bridge	3 km upstream of the tidal limit (SY 262 953)	Axe
Tregony Gauging Station	6 km upstream of the tidal limit (SW 921 445)	Fal
Devoran Bridge	immediately upstream of the tidal limit (SW 791 394)	Carnon
Forge Weir Halton	1.5 km upstream of the tidal limit (SD 514 648)	Lune
St Michael's Weir	immediately upstream of the tidal limit (SD 462 411)	Wyre
Samlesbury	1.5 km upstream of the tidal limit (SD 589 304)	Ribble
Teddington Weir	(TQ 171 714)	Thames
Chetwynd	(SK 187 138)	Tame
Nottingham	(SK 581 383)	Trent
Yoxall	(SK 131 177)	Trent
Fochabers	4 km upstream of the tidal limit (NJ 341 596)	Spey
Craigiehall	3 km upstream of the tidal limit (NT 165 752)	Almond
Renton Footbridge	immediately upstream of the tidal limit (NS 389 783)	Leven

## ANNEX II

## PARAMETERS IN RESPECT OF WHICH INFORMATION IS TO BE EXCHANGED

(Modes of expression and significant figures for the parametric data)

	Parameter	Mode of expression	Significant figures	
			Before the decimal point	After the decimal point
physical	Rate of flow <sup>(1)</sup> (at the time of sampling)	m <sup>3</sup> /s	× × × ×	× ×
	Temperature	°C	× ×	×
	pH	pH	× ×	×
	Conductivity at 20 °C	μS cm <sup>-1</sup> at 20 °C	(<100) × × (≥100) × × ×	
chemical	Chloride	Cl mg/l	(<100) × × (≥100) × × ×	
	Nitrate	NO <sub>3</sub> mg/l	× × ×	× ×
	Ammonia	NH <sub>4</sub> mg/l	× × ×	× ×
	Dissolved oxygen	O <sub>2</sub> mg/l	× ×	×
	BOD <sub>5</sub>	O <sub>2</sub> mg/l	× × ×	×
	COD	O <sub>2</sub> mg/l	× × ×	×
	Total phosphorous	P mg/l	× ×	× ×
	Surfactants reacting to methylene blue	Sodium lauryl sulphate eq. mg/l	× ×	× ×
	Total cadmium	Cd mg/l	×	× × × ×
	Mercury	Hg mg/l	×	× × × ×
micro-biological	Faecal coliforms	/100 ml	× × × × × ×	
	Total coliforms <sup>(2)</sup>	/100 ml	× × × × × ×	
	Faecal streptococci <sup>(2)</sup>	/100 ml	× × × × × ×	
	Salmonella <sup>(2)</sup>	/1 l	×	

<sup>(1)</sup> The date of sampling must be given.<sup>(2)</sup> The data relating to this parameter shall be exchanged when it is measured.