Finnish Battery Industries

14.4.2026

Response to the consultation of the Water Framework Directive

The Finnish Battery Industries welcomes the opportunity to provide feedback on the targeted revision of the EU Water Framework Directive (WFD). We support a practical, proportionate and evidence-based review, which maintains a high level of water protection while improving legal certainty, resilience and the predictability of the investment environment in Europe. It is essential that the Directive continues to safeguard water resources while also enabling sustainable investment and technological renewal across sectors.

Below we describe some of the challenges with the current Water Framework Directive, and at the end of the document we provide some solutions to these challenges.

1) Reduced permitting certainty

The non-deterioration principle under the Water Framework Directive may prevent a permit from being granted, even when a company complies with all given emission limit values. A company may be held responsible for the status of the water body even though that status is also affected by diffuse pollution and other operators. This undermines the predictability of investments, including projects related to the green transition.

2) Overlapping regulation

- The requirements of the Water Framework Directive overlap with those of the Industrial Emissions Directive (IED) and the REACH Regulation.
- A company may comply with BAT requirements and still face additional obstacles due to interpretations of the Water Framework Directive (WFD).
- The existing overlap between the IED, REACH and the WFD increases the administrative burden without delivering a clear environmental benefit.

3) Increasing monitoring and reporting obligations

- As a result of the above-mentioned legislation, the number of substances to be monitored, and the frequency of reporting are increasing. At the same time, monitoring methods are not yet fully standardized. This increases the cost burden, particularly for installations whose emissions are already very low.
- At the same time, however, the growing monitoring and reporting obligations do not make it possible to identify the origin of substances entering water bodies through diffuse pollution, nor do they make it possible to reduce them. As a result, the total pollution load affects the industrial operator’s ability to operate with disproportionately high weight.

4) **Insufficient transition periods and flexibilities**

- Although the Directive allows for derogations and deadline extensions, their application is inconsistent. This is challenging, as industrial investments require long time horizons and predictable rules.

5) **Inconsistent interpretation and lack of guidance in permitting procedures**

- The interpretation of key concepts under the Water Framework Directive (for example, the significance of impacts and the status of a water body) varies between authorities and regions. Operators do not always have sufficient information about all the flexibilities and legal "tools" permitted under the Directive, such as the use of mixing zones or alternative definitions. At the same time, authorities often take the view that they cannot actively guide or advise operators on how to make use of the appropriate procedures, applications or legal options. This means that permit applications may fail to identify or make use of critical possibilities, even where these are permitted under the legislation. The result may be an unnecessarily negative permitting outcome or a prolonged process without any additional benefit for water protection.
- It is essential to maintain a risk-based approach as the foundation of the assessment, taking diffuse emissions into account.

Our proposals for the targeted revision:

- **Modernise the assessment of chemical status** by making it more nuanced and more risk-based
- **Clarify the application of the non-deterioration principle and the one-out, all-out (OOAO) principle in permitting procedures**
- **Broaden and streamline the use of derogations under Article 4(7)** so that local conditions, background concentrations, diffuse pollution, technical feasibility and water-saving measures are better reflected in decision-making
- **Allow proactive and procedural guidance by competent authorities during permitting procedures**, so that operators can identify, already at the application stage, the solutions and flexibilities available under the legislation
- **Assess the cumulative burden of water-related regulation**, including the combined effects of the Water Framework Directive, the Industrial Emissions Directive and other water legislation, such as the Urban Wastewater Treatment Directive, which includes extended producer responsibility.

In conclusion, the Finnish Battery Industries suggests that the targeted revision of the WFD should focus on improving workability, coherence and predictability, without lowering environmental ambition. A well-functioning framework should make it possible to protect water resources effectively while also supporting innovation, industrial transformation and Europe's long-term competitiveness.

We therefore encourage the Commission to ensure that the forthcoming revision strengthens both environmental outcomes and the practical implementation of the Directive across Member States.