

interested businesses in that process. For the selected substances the report should also include information about current levels of use and production, as well as basic information about substitutes (using relevant information from annex 5). The report should also include illustrative examples on the implementation of WFD provisions with regard to other substances (e.g. mercury), and the exemptions applied by the Member States.

(2) Provide a more coherent baseline scenario and clearly explain the role of other existing policy instruments. The report should more clearly explain the relationship between provisions of the Water Framework Directive and REACH with regard to both priority substances and priority hazardous substances. Given that, under the WFD, Member States are obliged to set national standards in the absence of EU standards, the report should include a clearer overview of how many Member States have already done so, how many are likely to follow, and how this would affect the risks related to the production/use of substances in question. Impacts of other relevant legislation, such as the Biocidal Products Directive, should also be clarified, as should the extent to which Member States have applied exemptions under the WFD on the grounds of 'disproportionate costs'.

(3) Present expected costs and benefits in a more systematic and transparent way. For each option the report should be more explicit about cost estimates (both for business and public authorities), the uncertainties around them and the process for collecting and validating them. The report should also clarify which working definition of 'disproportionate costs' it has applied and to what extent the IA has actually been able to assess the occurrence of such costs. The benefits of the proposed measures need to be brought out more clearly and wherever appropriate complemented by use of illustrative examples, such as an example on the public health benefits from lowering dioxin levels.

(4) Assess impacts on SMEs. The report should clarify for each substance in question whether the restrictions in use/production are likely to affect SMEs, and if so, specify the affected sectors (farming, pesticides production etc.). The report should include a discussion on the potential compliance strategies and costs, as well as the likelihood of Member States exempting SMEs on grounds of disproportionate costs.

(5) Include a clear overview of costs and benefits of the retained policy package. The report should provide greater clarity on how the proposed measures would reduce the risk related to the use/production of the substances in question. The options and the retained policy package should be consistently compared to the baseline to demonstrate how well they achieve the objectives in terms of effectiveness, efficiency and coherence. Finally, the report should clarify if there are Member States which are likely to be more affected due to cumulative impacts (e.g. such as having high use of pesticides, combined with production of the priority substances in question).

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report

(D) Procedure and presentation

Given the broad spectrum of potentially affected stakeholders the report should explain in more detail why no public internet consultation has been carried out, including referring in more detail to stakeholder involvement in the substance identification process. The different views of stakeholders should be presented throughout the report. The Executive Summary should be complemented with information about the overall costs and benefits of the chosen package and with a clear indication of which parts of the costs would be

borne by businesses and by public authorities respectively. A comprehensive summary table should be provided when comparing the costs and benefits of the preferred option with the baseline.

(E) IAB scrutiny process

Reference number	2008/ENV/012
External expertise used	No
Date of Board Meeting	22 June 2011