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| <b>Document title</b>  | Rephrasing of HELCOM actions     |
| <b>Code</b>            | 2-1-Rev.1                        |
| <b>Category</b>        | DEC                              |
| <b>Agenda Item</b>     | 2 – Rephrasing of HELCOM actions |
| <b>Submission date</b> | 13.5.2020                        |
| <b>Submitted by</b>    | Secretariat                      |
| <b>Reference</b>       |                                  |

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### Background

**The document has been revised by adding a new proposal for rephrasing the action “If relevant assessments show the need, initiate adequate measures for medium-chain chlorinated paraffins (MCCPs), octylphenols (OP)/Octylphenol”.**

The HELCOM Working Groups were tasked to consider tentative needs for rephrasing of existing HELCOM actions from the Baltic Sea Action Plan and Ministerial Declarations 2010 and 2013 that are not likely implemented by 2021. In accordance with the Strategic Plan for the BSAP update, these actions will be transferred to the updated BSAP as they are, or they will be rephrased as found needed by the Working Groups i.e. to update target years, to ensure that they are up to date with current HELCOM work, or to clarify the actions.

The Pressure group has discussed the rephrasing of actions in PRESSURE 9-2018, PRESSURE 10-2019, PRESSURE 10a-2019, PRESSURE 11-2019, PRESSURE 11a-2020 and PRESSURE 12-2020. PRESSURE 12-2020 agreed on the tentative formulations for some of the actions to be included in the updated BSAP.

The attached document contains the rephrased actions that were yet not agreed at PRESSURE 12-2020 including updated proposals and comments received after PRESSURE 12-2020 by Denmark and Poland. The comments by Poland are included as Annex 1. For the existing action “Address the need for additional measures within transportation, combustion and agriculture (as the three major sources of atmospheric emissions of nitrogen these sectors) with the aim to ensure a Baltic-wide application of uniform standards” that is also to be considered the Agri group in AGRI 9a-2020 on 14 May, the comments by the Agri group (DK, EE and BFFE) are included.

### Action requested

The Meeting is invited to agree on the tentative formulations for actions to be included in the updated BSAP.

## Rephrasing of HELCOM actions

## Rephrasing of existing actions

## Theme: Eutrophication

| Existing action  | Comments by PRESSURE 12-2020 and comments received after PRESSURE 12-2020  | Proposed formulation for updated BSAP  | Explanation   |
|--|--|--|---|
| <p>Origin: MD 2010)<br/>Implementation; <b>National</b><br/>Status: Partly accomplished (8/9 countries)</p> <p>(Considering also overlapping actions:</p> <ul style="list-style-type: none"> <li>- Encourage voluntary use of P-free dishwasher detergents (MD 2010)</li> <li>- RECOMMENDS to the Governments of the Contracting States to the Helsinki Convention that further investigations on alternative builders, especially on their use and environmental effects, be carried out. (HELCOM Recommendation 28E-7))</li> </ul> | <p><b>Comments by PRESSURE 12-2020:</b></p> <p>Denmark and Sweden need time or further consideration of the proposal by 8 May.</p> <p><b>Comments after PRESSURE 12-2020:</b></p> <p><b>DK:</b> Unfortunately, we haven't been able to do the necessary national coordination for this proposal by the given time. We will do our best to get back with an official response at the meeting next week. However, we would like to know what is meant by further reducing P-discharges from sewage treatment plants, and will such new action be submitted in a synopsis?</p> <p><b>PL:</b> Please see Polish comments in Annex 1.</p> | <p><b>Lead country: Germany</b></p> <p><i>Target the elimination of phosphorus in laundry detergents for consumer use as soon as possible, but not later than by 2015</i></p> <p><i>Undertake efforts to target the elimination of phosphorus in detergents <b>for industrial &amp; institutional use, in particular for institutional use of laundry and dishwasher detergents in compliance with the best available technique [no later than by 2030]</b></i></p> <p><i>By 2025, develop and publish a HELCOM progress report about alternative builder, especially on their use, environmental effects and effectiveness.</i></p> | <p>Rephrasing not needed for the existing action "Target the elimination...". Will be kept in the updated BSAP if Russia has not implemented this action by 2020.</p> <p>Note that for EU Member States the use of P-free <b>dishwater detergents for consumer use</b> is regulated since 1<sup>st</sup> of January 2017. Therefore, <b>laundry and dishwasher detergents for consumer use</b> are regulated.</p> <p>Germany proposes that HELCOM undertakes action <b>concerning phosphorus in detergents for industrial &amp; institutional use, in particular for institutional use of laundry and dishwasher detergents for</b></p> <p>Germany proposes to apply the best available technology concerning phosphorus in laundry and dishwasher detergents for industrial and institutional use. However, the question arises how BAT is determined, since no BREFs (EU Best Available technique reference documents) exist. Germany has already addressed this subject in a study but the outcome was not satisfying. Germany will undertake further efforts concerning this subject in the coming years.</p> |

| Existing action | Comments by PRESSURE 12-2020 and comments received after PRESSURE 12-2020 | Proposed formulation for updated BSAP | Explanation   |
|-----------------|---|---------------------------------------|---|
|                 |   |                                       | <p>Germany furthermore proposes that this action should be accompanied by a HELCOM action on further reducing P-discharges from sewage treatment plants.</p> <p>Concerning the reduction of the use of slowly degradable substances in laundry and dishwater detergents Germany considers submitting a proposal for a new action on this subject for the updated BSAP but a synopsis has not been prepared yet and national discussion is ongoing.</p> <p>The EU has already commissioned the following 2 reports:<br/> <a href="#">WRc (2002): Phosphates and Alternative Detergent Builders</a><br/> <a href="#">RPA (2006): Non-surfactant Organic Ingredients and Zeolite-based Detergents.</a></p> <p>These reports need updating, including an overview of alternative builders, where they are used and their effectiveness compared to phosphates. Germany would be interested in drafting this report, in cooperation with other HELCOM CPs.</p> |

## Theme: Hazardous substances and litter

| Existing action  | Comments by PRESSURE 12-2020 and comments received after PRESSURE 12-2020   | Proposed formulation for updated BSAP   | Explanation  |
|--|---|---|--|
| <p>Agree to develop in 2008 specific efficiency requirements and emission limit values for small scale combustion appliances in relation to HELCOM Recommendation 28E-8.</p> <p>Origin: BSAP</p> | <p><b>Comments by PRESSURE 12-2020:</b></p> <p>Finland has received related information from Denmark and is considering it. Finland will endeavor to propose formulation coordinated with Denmark by 8 May.</p> | <p><b>Lead country: Finland</b></p> <p><b>Formulation according to the Danish proposal after PRESSURE 12-2020:</b></p> <p>[in order to decrease dioxin emissions] we agree to perform information campaigns</p> | <p>The Danish studies have not been able to confirm general low emission factors for dioxin for modern eco-labelled wood stoves but the studies indicate that the firewood used is of more importance regarding the emissions of dioxin.</p> |

| Existing action   | Comments by PRESSURE 12-2020 and comments received after PRESSURE 12-2020   | Proposed formulation for updated BSAP   | Explanation  |
|---|---|---|--|
| Implementation: <b>National</b><br>Status: Partly accomplished (3/9 countries)  |   | and other instruments that focus on the quality and species of the firewood, and what is burned in the small-scale combustion appliances  | This is also in accordance with the Finnish National Air Pollution Control Programme 2030. |
| National programmes to eliminate hazardous substances<br><br>Origin: BSAP<br>Implementation: <b>National</b><br>Status: Partly accomplished (6/9 countries)                               | <b>Comments by PRESSURE 12-2020:</b><br>Requires further approval.<br><br><b>Comments after PRESSURE 12-2020:</b><br><b>DK:</b> We would need a further explanation on what is meant with this formulation. Regarding national programmes. Do you mean monitoring programmes? And substances that are not regulated by other policies. Is it e.g. illegal use, treated articles which are not regulated etc.? Do you refer to non-target screening methods?<br>A detailed list of planned and implemented measures should be submitted - is this a requirement that goes further than the national programmes of measures in the remit of the WFD and MSFD? | <b>Lead country: Germany, co-lead by Sweden</b><br><br><b>develop</b> national programmes with a particular focus on substances which are <b>not regulated</b> by other policies<br><br>submit to HELCOM by [2023] a detailed account list of planned and implemented measures in different sectors, pathways and geographical areas in order to share practical information. |  |
| Evaluation of effectiveness of national programmes to eliminate hazardous substance<br><br>Origin: BSAP<br>Implementation: <b>National</b><br>Status: Partly accomplished (5/9 countries) | <b>Comments by PRESSURE 12-2020:</b><br>See previous<br><br><b>Comments after PRESSURE 12-2020:</b><br><b>DK:</b> We support to merge the two actions.  | <b>Lead country: Germany, provisionally co-lead by Sweden</b>   |  |
| Implementation of the UNEP 2013 Minamata Convention on Mercury<br><br>Origin: MD 2013<br>Implementation: <b>National</b><br>Status: Not accomplished                                      | <b>Comments by PRESSURE 12-2020:</b><br>Include commitments regarding implementation of other conventions in the preamble.<br><br>Do not repeat measures from international treaties in the BSAP.   | <b>Lead: Secretariat and Denmark</b><br><br><b>Formulations discussed at PRESSURE 11a-2020:</b><br>“enhance implementation of the UNEP 2013 Minamata Convention on Mercury”<br>“undertake all possible measures to reduce mercury emissions from energy sector”<br>“control concentration of mercury in dredge material and undertake possible                                |  |

| Existing action | Comments by PRESSURE 12-2020 and comments received after PRESSURE 12-2020  | Proposed formulation for updated BSAP  | Explanation   |
|-----------------|--|--|---|
|                 | <p>Proposed actions to some extent repeat those in Minamata and leave the decision for HODs.</p> <p>The group provisionally agreed on the formulation pending acceptance of the para on dredged material by Denmark by 8 May and agreed to seek for decision by HOD on inclusion of the actions from Minamata Convention to the updated BSAP.</p> <p>Finland does not support inclusion of measure related to contaminated wastes as it duplicates the Convention.</p> <p><b>Comments after PRESSURE 12-2020:</b><br/> <b>DK:</b> We can agree to remove the word continuously as it does not change the meaning of the sentence. In the Danish permits.</p> <p>Regarding inclusion of the year 2030 then we are still awaiting national approval.</p> | <p>measures to prevent its resuspension during dredging operations and handling of dredged material at sea”</p> <p>“introduce the ban of the use of mercury-based amalgam in dentistry by 2030, except when deemed strictly necessary by the dental practitioner based on the specific medical needs of the patient.”</p> <p>“establish and maintain procedures (rules) to handle mercury containing wastes to prevent entering of the contaminant to the environment, including public information on the procedures (rules)”</p> | <p>The suggested added exception for amalgam in dentistry is in line with the EU text for this subject.</p> |

Rephrasing of actions previously considered too general for follow-up

Theme: Eutrophication

| Action   | Comments by PRESSURE 12-2020 and comments received after PRESSURE 12-2020   | Proposed formulation for updated BSAP  |
|--|---|--|
| <p>Address the need for additional measures within transportation, combustion and agriculture (as the three major sources of atmospheric emissions of nitrogen these sectors) with the aim to ensure a Baltic-wide application of uniform standards</p> <p>Origin: MD 2010</p> | <p><b>Comments by PRESSURE 12-2020:</b></p> <p><b>Sweden and Germany</b> to co-lead rephrasing and provide proposal by 8 May.</p> <p>Germany proposed to consider geographical location of emitting installations and also address transportation and combustion in the BSAP.</p> <p><b>Comments from the Agri group for the new proposal after PRESSURE 12-2020:</b><br/> <b>DK:</b> <i>In the implementation, HELCOM CPs will ensure that measures taken in transportation, combustion and agriculture are tailored to also contributing to have the maximum effect concerning the reduction of the nitrogen deposition onto the Baltic Sea.</i> (or something similar)</p> <p>The reasoning behind the proposed change is that basically all “air pollution mitigation measures” first of all aim at mitigating harmful effects on human health, so that we cannot agree that all measures in “transportation, combustion and agriculture” are maximized with respect to reducing N deposition to the sea, disregarding the focus on human health benefits. We do believe however that is possible to tailor measures in a way, so that both beneficiary effects (on human health and for the Baltic Sea) are considered and can hence serve multiple purposes.</p> <p><b>EE:</b> <i>HELCOM Contracting Parties will continue to reduce the deposition of atmospheric nitrogen onto the Baltic Sea region through the implementation of the national nitrogen reduction commitments of the Gothenburg Protocol and the EU NEC-Directive 2016/2284 for those HELCOM CPs that are also EU Member States. In the implementation, HELCOM CPs will ensure that measures taken in transportation, combustion and agriculture are tailored to have the maximum effect concerning the for the reduction of the nitrogen deposition onto the Baltic Sea region.</i></p> <p>Explanations:</p> <ol style="list-style-type: none"> <li>1) “continue to ” means that we parties already have taken actions under Gothenburg Protocol and NEC Directive and are continuing with them</li> <li>2) We would like to add that while referring to atmospheric precipitation then we talk about the whole region, not just the sea?! Nitrogen falls from the air to both the sea and the earth, so we would specify it with the word 'region'.</li> <li>3) In addition, we would delete 'in the implementation' at the beginning of the second sentence because it is not clear what the implementation is referring to, apparently the NEC directive and protocol but it remains somewhat confusing. The sentence works without it.</li> </ol> | <p><i>HELCOM Contracting Parties will reduce the deposition of atmospheric nitrogen on the Baltic Sea through the implementation of the national nitrogen reduction commitments of the Gothenburg Protocol and the EU NEC-Directive 2016/2284 for those HELCOM CPs that are also EU Member States. In the implementation, HELCOM CPs will ensure that measures taken in transportation, combustion and agriculture are tailored to have the maximum effect concerning the reduction of the nitrogen deposition onto the Baltic Sea.</i></p> <p><i>The HELCOM Recommendation 24/3 on “Measures aimed at the reduction of emissions and discharges from agriculture” is currently undergoing revision to ensure that ammonia emissions from agriculture are reduced.</i></p> |

| Action | Comments by PRESSURE 12-2020 and comments received after PRESSURE 12-2020  | Proposed formulation for updated BSAP |
|--------|--|---------------------------------------|
|        | <p>4) In the second sentence we would delete 'to have the maximum effect', because no one knows or can actually define what this maximum effect is and whether it is also the best solution. The maximum effect on the reduction of precipitated nitrogen is that the amount of precipitated nitrogen is zero, ie that nothing precipitates. That's not what we mean. But since the idea remains the same without it, we don't think it's necessary.</p> <p><b>BFFE:</b> Farmers in all countries in the Baltic Sea region also have the National Air Pollution Control Programmes (under NEC directive), which covers the agricultural NH3 emissions. But when we talk about deposition of atmospheric nitrogen then we refer to whole region not just precipitation to the sea (nitrogen is deposited to both land and sea), it should be taken into account. And in the second sentence there is wording "to have maximum effect concerning the" here we would propose to remove that, as the maximum effect can not be defined (maximum effect should mean that the effect of reduction measures lead to zero nitrogen precipitation), also it wouldn't change the meaning of the sentence.</p> <p><u>Taken it into account, we propose following changes:</u> HELCOM Contracting Parties will <u>continue to</u> reduce the deposition of atmospheric nitrogen <u>onto</u> the Baltic Sea <u>region</u> through the implementation of the national nitrogen reduction commitments of the Gothenburg Protocol and the EU NEC-Directive 2016/2284 for those HELCOM CPs that are also EU Member States. In the implementation, HELCOM CPs will ensure that measures taken in transportation, combustion and agriculture are tailored <del>to have the maximum effect concerning the</del> <u>for the</u> reduction of the nitrogen deposition onto the Baltic Sea <u>region</u>.</p> <p><i>*In the first sentence "continue to" could be added, which would indicate that parties already have taken and are taking actions under Gothenburg Protocol and NEC Directive.</i></p> |                                       |

### Theme: Hazardous substances and litter

| Action   | Comments by PRESSURE 12-2020 and comments received after PRESSURE 12-2020   | Proposed formulation for updated BSAP   |
|--|---|---|
| <p>Start work on strict restrictions of use for perfluorooctane sulfonate (PFOS), nonylphenol/nonylphenoethoxylates (NP/NPEs), short-chain chlorinated paraffins (SCCPs)</p> <p>Origin: BSAP</p> | <p><b>Comments by PRESSURE 12-2020:</b></p> <p>Agreed pending confirmation Denmark by 8 May.</p>  | <p><i>Introduce measures based on the best available scientific knowledge and technologies to restrict the use and prevent releases of perfluorinated alkyl substances, phenolic compounds with endocrine disrupting effects and chlorinated paraffins.</i></p> |
| <p>If relevant assessments show the need, initiate adequate measures for medium-chain chlorinated paraffins (MCCPs), octylphenols (OP)/Octylphenol</p>   | <p><b>Comments by PRESSURE 12-2020:</b></p> <p>Proposal is to add one more sentence referring to the "priority list". Germany will provide a proposal by 8 May.</p> | <p><i>Establish a mechanism for HELCOM <u>to manage the list of priority substances and</u> <del>to</del> respond to screening and assessment results pointing out regional challenges for <del>or positive developments</del></i></p>                          |

| Action  | Comments by PRESSURE 12-2020 and comments received after PRESSURE 12-2020 | Proposed formulation for updated BSAP   |
|---|---|---|
| ethoxylates (OPE), perfluorooctanoic acid (PFOA), decabromodiphenyl ether (decaBDE) and hexabromocyclododecane (HBCDD) (2009)<br><br>Origin: BSAP |   | <del>related to contamination of the Baltic Sea environment by priority substances and contaminants of emerging concern</del> |