Quality of water intended for human consumption. Recast

2017/0332(COD) - 01/02/2018 - Legislative proposal

PURPOSE: protect human health from the harmful effects of contamination of water intended for human consumption.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: Parliament decides in accordance with the ordinary legislative procedure on an equal footing with Council.

BACKGROUND: the review of Directive 98/83/EC on drinking water is an extension of the European citizens initiative Right2Water, which collected over 1.8 million signatures and to which the Commission responded positively, urging Member States to do everything they can to ensure everyone has access to a minimum water supply.

The Commission also undertook to review the Directive, which, as a result, was included in the Commissions Regulatory Fitness and Performance Programme (REFIT).

The evaluation confirmed that the Directive is the relevant tool to ensure the high quality of the water consumed in the EU, because its basic purpose is to enforce drinking water monitoring and ensure that Member States restore required water quality levels in case of issues.

However, the evaluation identified four areas with room for improvement:

- the list of parameters;
- the use of the risk-based approach;
- increased transparency on water-related issues and giving consumers access to up-to date information; and
- materials in contact with drinking water.

The revision is part of the plan to transition to a circular economy. It will help Member States manage drinking water in a resource-efficient and sustainable manner, thereby helping to reduce energy use and unnecessary water loss. It will also help reduce the number of plastic bottles used by improving peoples confidence in tap water.

The proposal is fully in line with the Agenda 2030, in particular Sustainable Development Goal 6 and the aims of the Paris Agreement on climate change.

IMPACT ASSESSMENT: a combination of the preferred options will ensure:

- high quality drinking water for everyone in the EU ;
- a more modern approach to monitoring, by using the risk-based approach for both large and small water suppliers;
- the modernisation, and hence simplification, of reporting provisions;
- up-to-date and relevant information for consumers;
- improved access to water, and the provision of access to water for vulnerable and marginalised groups.

The costs and the impacts of the proposal will be between EUR 5.9 billion and EUR 7.3 billion. These costs will mainly be borne by water operators. Consumers would see a very marginal increase in their household costs. However, this does not risk making drinking water unaffordable and could be offset by people drinking tap water rather than bottled water.

CONTENT: the proposal is a recast of Directive 98/83/EC, which was amended in 2003, 2009 and 2015. Its objective is to improve the quality of and access to drinking water as well as to provide more comprehensive information to citizens. The main elements are:

List of parameters set out in Annex: the proposal incorporates the vast majority of parameters and values ??recommended by the World Health Organisation (WHO), while suggesting a different approach for a small number of parameters.

The Commission proposes, for example to: (i) retain benzene, cyanide, 1,2-dichloroethane, mercury, and polycyclic aromatic hydrocarbons (PAHs) ; (ii) retain the initial values for antimony, boron and selenium ;(iii) set the value for chlorate and chlorite at the stricter level of 0.25 mg/l; (iv) to place three endocrine disrupting compounds (beta-estradiol; nonylphenol; and bisphenol A) into the Directive on the basis of the precautionary principle; (v) reducing the value of chromium by 50 % to 25 µg/l after a transition period of 10 years after the entry into force of the Directive.

Risk-based approach: with the new risk-based approach to safety, compliance checks would focus more on those cases where risks are higher. The proposal introduces obligations related to hazard assessment related to bodies of water used for the abstraction of water intended for human consumption, introduces obligations related to carrying out a supply risk assessment by the water supplier, and introduces obligations related to carrying out risk assessments of domestic distribution.

Access to drinking water for all citizens, especially for vulnerable and marginalised groups: concretely, this means: (i) informing people who do not have access to drinking water about the possibilities of connection,(ii) encouraging the use of tap water in public buildings and restaurants, (iii) ensuring the availability of equipment allowing free access to tap water in most cities, (iv) quickly informing vulnerable people about the quality of available water and give them the necessary sanitary advice on it.

Public information: the proposal aims to: (i) ensure the availability of specified online information on the quality and supply of drinking water and (ii) provide additional specific information directly to consumers (for example on invoices), such as the volumes consumed as well as the detail of the tariff(s) and the cost structure.

BUDGETARY IMPLICATIONS: the proposal should be implemented under the existing allocations for the Commission and the European Environmental Agency and no additional resources are needed.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.