

**AMENDMENTS 001-160**

by the Committee on the Environment, Public Health and Food Safety

**Report****Michel Dantin****A8-0288/2018**

Quality of water intended for human consumption

Proposal for a directive (COM(2017)0753 – C8-0019/2018 – 2017/0332(COD))

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**Amendment 1****Proposal for a directive****Recital 2***Text proposed by the Commission*

(2) Directive 98/83/EC set the legal framework to protect human health from the adverse effects of any contamination of water intended for human consumption by ensuring that it is wholesome and clean. This Directive should pursue the same objective. To that end, it is necessary to lay down at Union level the minimum requirements with which water intended for that purpose must comply. Member States should take *the* necessary measures to ensure that water intended for human consumption is free from any micro-organisms and parasites and from substances which, in certain cases, constitute a potential danger to human health, and that it meets those minimum requirements.

*Amendment*

(2) Directive 98/83/EC set the legal framework to protect human health from the adverse effects of any contamination of water intended for human consumption by ensuring that it is wholesome and clean. This Directive should pursue the same objective *and should promote the universal access to such water for all in the Union*. To that end, it is necessary to lay down at Union level the minimum requirements with which water intended for that purpose must comply. Member States should take *all* necessary measures to ensure that water intended for human consumption is free from any micro-organisms and parasites and from substances which, in certain cases, constitute a potential danger to human health, and that it meets those minimum requirements.

## Amendment 2

### Proposal for a directive Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(2a) In line with the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 2 December 2015 entitled “Closing the loop - An EU action plan for the Circular Economy”, this Directive should strive to encourage water resource efficiency and sustainability, thereby meeting circular economy goals.***

## Amendment 3

### Proposal for a directive Recital 2 b (new)

*Text proposed by the Commission*

*Amendment*

***(2b) The Human Right to Water and Sanitation (HRWS) was recognised as a human right by the United Nations (UN) General Assembly on 28 July 2010 and thus, access to clean, potable water should not be restricted due to unaffordability by the end user.***

## Amendment 4

### Proposal for a directive Recital 2 c (new)

*Text proposed by the Commission*

*Amendment*

***(2c) Coherence between Directive 2000/60/EC of the European Parliament and of the Council<sup>1a</sup> and this Directive is necessary.***

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<sup>1a</sup> ***Directive 2000/60/EC of the European***

## **Amendment 5**

### **Proposal for a directive Recital 2 d (new)**

*Text proposed by the Commission*

*Amendment*

***(2d) The requirements set out in this Directive should reflect the national situation and conditions of the water suppliers in the Member States.***

## **Amendment 6**

### **Proposal for a directive Recital 3**

*Text proposed by the Commission*

*Amendment*

(3) It is necessary to exclude from the scope of this Directive natural mineral waters and waters which are medicinal products, since these waters are respectively covered by Directive 2009/54/EC of the European Parliament and of the Council<sup>68</sup> and Directive 2001/83/EC of the European Parliament and of the Council<sup>69</sup>. However, Directive 2009/54/EC deals with both natural mineral waters and spring waters, and only the former category should be exempted from the scope of this Directive. In accordance with the third subparagraph of Article 9(4) of Directive 2009/54/EC, spring waters should comply with the provisions of this Directive. In the case of water intended for human consumption put into bottles or containers intended for sale or used in the manufacture, preparation or treatment of food, the water should comply with the provisions of this Directive until the point of compliance (*i.e. the tap*), and

(3) It is necessary to exclude from the scope of this Directive natural mineral waters and waters which are medicinal products, since these waters are respectively covered by Directive 2009/54/EC of the European Parliament and of the Council<sup>68</sup> and Directive 2001/83/EC of the European Parliament and of the Council<sup>69</sup>. However, Directive 2009/54/EC deals with both natural mineral waters and spring waters, and only the former category should be exempted from the scope of this Directive. In accordance with the third subparagraph of Article 9(4) of Directive 2009/54/EC, spring waters should comply with the provisions of this Directive. ***However, that obligation should not extend to the microbiological parameters set out in Part A of Annex I to this Directive.*** In the case of water intended for human consumption ***from public water supply or private wells*** put into bottles or containers intended for

should afterwards be considered as food, in accordance with the second subparagraph of Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council<sup>70</sup>.

sale or used in the *commercial* manufacture, preparation or treatment of food, the water should, *as a matter of principle, continue to* comply with the provisions of this Directive until the point of compliance, and should afterwards be considered as food, in accordance with the second subparagraph of Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council<sup>70</sup>.  
***Where applicable food safety requirements are met, competent authorities in the Member States should have the power to authorise the reuse of water in food processing industries.***

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<sup>68</sup> Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters (Recast) (OJ L 164, 26.6.2009, p. 45).

<sup>69</sup> Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

<sup>70</sup> Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

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<sup>68</sup> Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters (Recast) (OJ L 164, 26.6.2009, p. 45).

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## Amendment 7

### Proposal for a directive Recital 4

*Text proposed by the Commission*

(4) Following the conclusion of the European citizens' initiative on the right to water (Right2Water)<sup>71</sup>, a Union-wide public consultation was launched and a Regulatory Fitness and Performance

*Amendment*

(4) Following the conclusion of the European citizens' initiative on the right to water (Right2Water)<sup>71</sup> ***which called on the Union to increase its efforts to achieve universal access to water***, a Union-wide

(REFIT) Evaluation of Directive 98/83/EC was performed<sup>72</sup>. It became apparent from that exercise that certain provisions of Directive 98/83/EC needed to be updated. Four areas were identified as offering scope for improvement, namely the list of quality-based parametric values, the limited reliance on a risk-based approach, the imprecise provisions on consumer information, and the disparities between approval systems for materials in contact with water intended for human consumption. In addition, the European citizens' initiative on the right to water identified as a distinct problem the fact that part of the population, *especially* marginalised groups, has no access to water intended for human consumption, which is also a commitment under Sustainable Development Goal 6 of UN Agenda 2030. A final issue identified is the general lack of awareness of water leakages, which are driven by underinvestment in maintenance and renewal of the water infrastructure, as also pointed out in the European Court of Auditors' Special Report on water infrastructure<sup>73</sup>.

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<sup>71</sup> COM(2014)0177

<sup>72</sup> SWD(2016)0428

<sup>73</sup> Special report of the European Court of Auditors SR 12/2017: "Implementing the Drinking Water Directive: water quality and access to it improved in Bulgaria, Hungary and Romania, but investment needs remains substantial".

public consultation was launched and a Regulatory Fitness and Performance (REFIT) Evaluation of Directive 98/83/EC was performed<sup>72</sup>. It became apparent from that exercise that certain provisions of Directive 98/83/EC needed to be updated. Four areas were identified as offering scope for improvement, namely the list of quality-based parametric values, the limited reliance on a risk-based approach, the imprecise provisions on consumer information, and the disparities between approval systems for materials in contact with water intended for human consumption *and the implications this has for human health*. In addition, the European citizens' initiative on the right to water identified as a distinct problem the fact that part of the population, *among vulnerable and* marginalised groups, has *limited or* no access to *affordable* water intended for human consumption, which is also a commitment *made* under Sustainable Development Goal 6 of UN Agenda 2030. *In this context, the European Parliament recognised a right of access to water intended for human consumption for all in the Union*. A final issue identified is the general lack of awareness of water leakages, which are driven by underinvestment in maintenance and renewal of the water infrastructure, as also pointed out in the European Court of Auditors' Special Report on water infrastructure<sup>73</sup>, *and by what is sometimes insufficient knowledge of water systems*.

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<sup>71</sup> COM(2014)0177

<sup>72</sup> SWD(2016)0428

<sup>73</sup> Special report of the European Court of Auditors SR 12/2017: "Implementing the Drinking Water Directive: water quality and access to it improved in Bulgaria, Hungary and Romania, but investment needs remains substantial".

## Amendment 8

### Proposal for a directive Recital 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) In order to fulfil the ambitious goals set up under the United Nations' Sustainable Development Goal No 6, Member States should be obliged to implement action plans to ensure universal and equitable access to safe and affordable drinking water for all by 2030.***

## Amendment 9

### Proposal for a directive Recital 4 b (new)

*Text proposed by the Commission*

*Amendment*

***(4b) The European Parliament adopted resolution of 8 September 2015 on the follow-up to the European Citizens' Initiative Right2Water.***

*Justification*

*As acknowledged by the European Commission the proposal of recast takes into account the European Parliament resolution as adopted on September the 8th, 2015.*

## Amendment 10

### Proposal for a directive Recital 5

*Text proposed by the Commission*

*Amendment*

(5) The World Health Organisation (WHO) Regional Office for Europe conducted a detailed review of the list of parameters and parametric values laid down in Directive 98/83/EC in order to establish whether there is a need to adapt it in light of technical and scientific progress. In view of the results of that review<sup>74</sup>, enteric pathogens and Legionella should be

(5) The World Health Organisation (WHO) Regional Office for Europe conducted a detailed review of the list of parameters and parametric values laid down in Directive 98/83/EC in order to establish whether there is a need to adapt it in light of technical and scientific progress. In view of the results of that review<sup>74</sup>, enteric pathogens and Legionella should be

controlled, six chemical parameters or parameter groups should be added, ***and three representative endocrine disrupting compounds should be considered with precautionary benchmark values. For three of the new parameters, parametric values that are more stringent than the ones proposed by the WHO, yet still feasible, should be laid down in light of the precautionary principle.*** For lead, the WHO noted that concentrations should be as low as reasonably practical, and for chromium, the value remains under WHO review. ***Therefore, for both parameters, a transitional period of ten years should apply before the values become more stringent.***

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<sup>74</sup> Drinking Water Parameter Cooperation Project of the WHO Regional Office for Europe "Support to the revision of Annex I Council Directive 98/83/EC on the quality of water intended for human consumption (Drinking Water Directive) Recommendation", 11 September 2017.

## Amendment 11

### Proposal for a directive Recital 5 a (new)

*Text proposed by the Commission*

controlled ***and*** six chemical parameters or parameter groups should be added. ***The WHO recommendations, which are based on the most up-to-date scientific data and evidence at international level, should be followed and the parametric values adjusted accordingly.*** For lead, the WHO noted that concentrations should be as low as reasonably practical, and for chromium, the value remains under WHO review.

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<sup>74</sup> Drinking Water Parameter Cooperation Project of the WHO Regional Office for Europe "Support to the revision of Annex I Council Directive 98/83/EC on the quality of water intended for human consumption (Drinking Water Directive) Recommendation", 11 September 2017.

*Amendment*

***(5a) Water intended for human consumption plays a fundamental role in the Union's ongoing efforts to strengthen the protection of human health and the environment against endocrine-disrupting chemicals. The regulation of endocrine-disrupting compounds in this Directive constitutes a promising step in line with the updated Union strategy on endocrine disruptors, which the Commission is obliged to deliver without any further delay.***

## Amendment 12

### Proposal for a directive Recital 6

*Text proposed by the Commission*

*Amendment*

**(6) The WHO also recommended that three parametric values be made less stringent and five parameters be removed from the list. Nevertheless, those changes are not considered necessary as the risk-based approach introduced by Commission Directive (EU) 2015/1787<sup>75</sup> allows water suppliers to remove a parameter from the list to be monitored under certain conditions. Treatment techniques to meet those parametric values are already in place.**

**deleted**

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<sup>75</sup> Commission Directive (EU) 2015/1787 of 6 October 2015 amending Annexes II and III to Council Directive 98/83/EC on the quality of water intended for human consumption (OJ L 260, 7.10.2015, p. 6).

*Justification*

*WHO recommendation moved to Recital 5.*

## Amendment 13

### Proposal for a directive Recital 6 a (new)

*Text proposed by the Commission*

*Amendment*

**(6a) Where scientific knowledge is not sufficient to determine the human health risk, or absence thereof, of a substance present in water intended for human consumption, or the permissible value for the presence of that substance, it should be placed on a watchlist, on the basis of the precautionary principle, until there are clearer scientific data. Endocrine-disrupting substances in water intended for human consumption are a case in**



*point, since, as scientific knowledge currently stands, they pose no potential risk to human health, but, in the light of their potential risk to the environment, it is warranted to place them on a watchlist. Accordingly, Member States should monitor such emerging parameters separately.*

## Amendment 14

### Proposal for a directive Recital 6 b (new)

*Text proposed by the Commission*

*Amendment*

*(6b) Indicator parameters have no direct public-health impact. However, they are important as a means of determining how water production and distribution facilities are functioning and of evaluating water quality. They can help to identify water treatment deficiencies and they also play an important role in increasing and maintaining consumer confidence in water quality. Therefore, they should be monitored by Member States.*

## Amendment 15

### Proposal for a directive Recital 7

*Text proposed by the Commission*

*Amendment*

(7) Where necessary to protect human health within their territories, Member States should be required to set values for additional parameters not included in Annex I .

(7) Where necessary **for full implementation of the precautionary principle and** to protect human health within their territories, Member States should be required to set values for additional parameters not included in Annex I .

*Justification*

*Creates consistency with the proposed approach in the file on the precautionary principle*

## Amendment 16

### Proposal for a directive Recital 8

#### *Text proposed by the Commission*

(8) Preventive safety planning and risk-based elements were only considered to a limited extent in Directive 98/83/EC. The first elements of a risk-based approach were already introduced in 2015 with Directive (EU) 2015/1787, which amended Directive 98/83/EC so as to allow Member States to derogate from the monitoring programmes they have established, provided credible risk assessments are performed, which may be based on the WHO's Guidelines for Drinking Water Quality<sup>76</sup>. Those Guidelines, laying down the so-called "Water Safety Plan" approach, together with standard EN 15975-2 concerning security of drinking water supply, are internationally recognised principles on which the production, distribution, monitoring and analysis of parameters in water intended for human consumption are based. They should be maintained in this Directive. To ensure that those principles are not limited to monitoring aspects, to focus time and resources on risks that matter and on cost-effective source measures, and to avoid analyses and efforts on non-relevant issues, it is appropriate to introduce a complete risk-based approach, throughout the supply chain, from the abstraction area to distribution until the tap. That approach should consist of three components: first, an assessment by the Member State of the hazards associated with the abstraction area ("hazard assessment"), in line with the WHO's Guidelines and Water Safety Plan Manual<sup>77</sup>; second, a possibility for the water supplier to adapt monitoring to the main risks ("supply risk assessment"); and third, an assessment by the Member State of the possible risks stemming from *the*

#### *Amendment*

(8) Preventive safety planning and risk-based elements were only considered to a limited extent in Directive 98/83/EC. The first elements of a risk-based approach were already introduced in 2015 with Directive (EU) 2015/1787, which amended Directive 98/83/EC so as to allow Member States to derogate from the monitoring programmes they have established, provided credible risk assessments are performed, which may be based on the WHO's Guidelines for Drinking Water Quality<sup>76</sup>. Those Guidelines, laying down the so-called "Water Safety Plan" approach, together with standard EN 15975-2 concerning security of drinking water supply, are internationally recognised principles on which the production, distribution, monitoring and analysis of parameters in water intended for human consumption are based. They should be maintained in this Directive. To ensure that those principles are not limited to monitoring aspects, to focus time and resources on risks that matter and on cost-effective source measures, and to avoid analyses and efforts on non-relevant issues, it is appropriate to introduce a complete risk-based approach, throughout the supply chain, from the abstraction area to distribution until the tap. That approach should ***be based on the knowledge gained and actions carried out under Directive 2000/60/EC and should take into account more effectively the impact of climate change on water resources. A risk-based approach should*** consist of three components: first, an assessment by the Member State of the hazard associated with the abstraction area ("hazard assessment"), in line with the WHO's

domestic distribution systems (e.g. Legionella or lead) ("domestic distribution risk assessment"). Those assessments should be regularly reviewed, inter alia, in response to threats from climate-related extreme weather events, known changes of human activity in the abstraction area or in response to source-related incidents. The risk-based approach ensures a continuous exchange of information between competent authorities **and** water suppliers.

Guidelines and Water Safety Plan Manual<sup>77</sup>; second, a possibility for the water supplier to adapt monitoring to the main risks ("supply risk assessment"); and third, an assessment by the Member State of the possible risks stemming from domestic distribution systems (e.g. Legionella or lead), ***with special focus on priority premises*** ("domestic distribution risk assessment"). Those assessments should be regularly reviewed, inter alia, in response to threats from climate-related extreme weather events, known changes of human activity in the abstraction area or in response to source-related incidents. The risk-based approach ensures a continuous exchange of information between competent authorities, water suppliers **and other stakeholders, including those responsible for the pollution source or the risk of pollution. As an exception, the implementation of the risk-based approach should be adapted to the specific constraints of maritime vessels that desalinate water and carry passengers. European flag maritime vessels comply with the international regulatory framework when sailing in international waters. Furthermore, there are particular constraints for the transport and production of water intended for human consumption on board which means that the provisions of this Directive should be adapted accordingly.**

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<sup>76</sup> Guidelines for drinking water quality, Fourth Edition, World Health Organisation, 2011  
[http://www.who.int/water\\_sanitation\\_health/publications/2011/dwq\\_guidelines/en/index.html](http://www.who.int/water_sanitation_health/publications/2011/dwq_guidelines/en/index.html)

<sup>77</sup> Water Safety Plan Manual: step-by-step risk management for drinking water suppliers, World Health Organisation, 2009,  
[http://apps.who.int/iris/bitstream/10665/75141/1/9789241562638\\_eng.pdf](http://apps.who.int/iris/bitstream/10665/75141/1/9789241562638_eng.pdf)

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<sup>76</sup> Guidelines for drinking water quality, Fourth Edition, World Health Organisation, 2011  
[http://www.who.int/water\\_sanitation\\_health/publications/2011/dwq\\_guidelines/en/index.html](http://www.who.int/water_sanitation_health/publications/2011/dwq_guidelines/en/index.html)

<sup>77</sup> Water Safety Plan Manual: step-by-step risk management for drinking water suppliers, World Health Organisation, 2009,  
[http://apps.who.int/iris/bitstream/10665/75141/1/9789241562638\\_eng.pdf](http://apps.who.int/iris/bitstream/10665/75141/1/9789241562638_eng.pdf)

## Amendment 17

### Proposal for a directive Recital 8 a (new)

*Text proposed by the Commission*

*Amendment*

***(8a) Ineffective use of water resources, in particular leakage in the water supply infrastructure, leads to over exploitation of scarce resources of water intended for human consumption. This severely hinders the Member States in reaching the objectives set under Directive 2000/60/EC.***

## Amendment 18

### Proposal for a directive Recital 9

*Text proposed by the Commission*

*Amendment*

(9) The hazard assessment should ***be geared towards*** reducing the level of treatment required for the production of water intended for human consumption, for instance by reducing the pressures causing the pollution of water bodies used for abstraction of water intended for human consumption. To that end, Member States should identify hazards and possible pollution sources associated with those water bodies and monitor pollutants which they identify as relevant, for instance because of the hazards identified (e.g. microplastics, nitrates, pesticides or pharmaceuticals identified under Directive 2000/60/EC of the European Parliament and of the Council<sup>78</sup>), because of their natural presence in the abstraction area (e.g. arsenic), or because of information from the water suppliers (e.g. sudden increase of a specific parameter in raw water). Those parameters should be used as markers that trigger action by competent authorities to reduce the pressure on the

(9) The hazard assessment should ***take a holistic approach to risk assessment, founded on the explicit aim of*** reducing the level of treatment required for the production of water intended for human consumption, for instance by reducing the pressures causing the pollution of, ***or a risk of pollution of,*** water bodies used for abstraction of water intended for human consumption. To that end, Member States should identify hazard and possible pollution sources associated with those water bodies and monitor pollutants which they identify as relevant, for instance because of the hazard identified (e.g. microplastics, nitrates, pesticides or pharmaceuticals identified under Directive 2000/60/EC of the European Parliament and of the Council<sup>78</sup>), because of their natural presence in the abstraction area (e.g. arsenic), or because of information from the water suppliers (e.g. sudden increase of a specific parameter in raw water). ***In accordance with Directive***

water bodies, such as prevention or mitigating measures (including research to understand impacts on health where necessary), to protect those water bodies and address the pollution source, in cooperation with water suppliers and *stakeholders*.

*2000/60/EC*, those parameters should be used as markers that trigger action by competent authorities to reduce the pressure on the water bodies, such as prevention or mitigating measures (including research to understand impacts on health where necessary), to protect those water bodies and address the pollution source *or risk*, in cooperation with *all stakeholders, including those responsible for pollutant or potential pollutant sources. Where a Member State finds, via the hazard assessment, that a parameter is not present in a given abstraction area, for instance because that substance never occurs in groundwaters or surface waters, the Member State should inform the relevant water suppliers and should be able to allow them to decrease the monitoring frequency for that parameter, or remove that parameter from the list of parameters to be monitored, without carrying out a supply risk assessment.*

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<sup>78</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

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## **Amendment 19**

### **Proposal for a directive Recital 11**

#### *Text proposed by the Commission*

(11) The parametric values used to assess the quality of water intended for human consumption are to be complied with at the point where water intended for human consumption is made available to the appropriate user. However, the quality of water intended for human consumption can be influenced by the domestic distribution system. The WHO notes that, in the Union, *Legionella* causes the highest health burden

#### *Amendment*

(11) The parametric values used to assess the quality of water intended for human consumption are to be complied with at the point where water intended for human consumption is made available to the appropriate user. However, the quality of water intended for human consumption can be influenced by the domestic distribution system. The WHO notes that, in the Union, *Legionella* causes the highest health burden

of all waterborne pathogens. It is transmitted by warm water systems through inhalation, for instance during showering. It is therefore clearly linked to the domestic distribution system. Since imposing a unilateral obligation to monitor all private and public premises for this pathogen would lead to unreasonably high costs, a domestic distribution risk assessment is therefore more suited to address this issue. In addition, the potential risks stemming from products and materials in contact with water intended for human consumption should also be considered in the domestic distribution risk assessment. The domestic distribution risk assessment should therefore include, inter alia, focusing monitoring on priority premises, assessing the risks stemming from the domestic distribution system and related products and materials, **and verifying the performance of construction products** in contact with water intended for human consumption **on the basis of their declaration of performance in accordance with Regulation (EU) No 305/2011 of the European Parliament and of the Council**<sup>79</sup>. The information referred to in Articles 31 and 33 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council<sup>80</sup> is also to be supplied together with the declaration of performance. On the basis of this assessment, Member States should take all necessary measures to ensure, inter alia, that appropriate control and management measures (e.g. in case of outbreaks) are in place, in line with the guidance of the WHO<sup>81</sup>, and that the migration from **construction products** does not endanger human health. **However, without prejudice to Regulation (EU) No 305/2011, where these measures would imply limits to the free movement of products and materials in the Union, these limits need to be duly justified and strictly proportionate, and not constitute a means of arbitrary discrimination or a disguised restriction on trade between Member States.**

of all waterborne pathogens, **in particular Legionella pneumophila, which accounts for most cases of Legionnaires' disease in the Union.** It is transmitted by warm water systems through inhalation, for instance during showering. It is therefore clearly linked to the domestic distribution system. Since imposing a unilateral obligation to monitor all private and public premises for this pathogen would lead to unreasonably high costs **and would contravene the principle of subsidiarity**, a domestic distribution risk assessment is therefore more suited to address this issue, **with a special focus on priority premises.** In addition, the potential risks stemming from products and materials in contact with water intended for human consumption should also be considered in the domestic distribution risk assessment. The domestic distribution risk assessment should therefore include, inter alia, focusing monitoring on priority premises, assessing the risks stemming from the domestic distribution system and related products and materials in contact with water intended for human consumption. The information referred to in Articles 31 and 33 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council<sup>80</sup> is also to be supplied together with the declaration of performance. On the basis of this assessment, Member States should take all necessary measures to ensure, inter alia, that appropriate control and management measures (e.g. in case of outbreaks) are in place, in line with the guidance of the WHO<sup>81</sup>, and that the migration from **substances and materials in contact with water intended for human consumption** does not endanger human health.

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<sup>79</sup> **Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).**

<sup>80</sup> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

<sup>81</sup> "Legionella and the prevention of Legionellosis", World Health Organisation, 2007, [http://www.who.int/water\\_sanitation\\_health/emerging/legionella.pdf](http://www.who.int/water_sanitation_health/emerging/legionella.pdf)

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<sup>80</sup> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

<sup>81</sup> "Legionella and the prevention of Legionellosis", World Health Organisation, 2007, [http://www.who.int/water\\_sanitation\\_health/emerging/legionella.pdf](http://www.who.int/water_sanitation_health/emerging/legionella.pdf)

## **Amendment 20**

### **Proposal for a directive Recital 12**

#### *Text proposed by the Commission*

(12) The provisions of Directive 98/83/EC on quality assurance of treatment, equipment and materials did not succeed in addressing obstacles to the internal market when it comes to the free circulation of construction products in contact with water intended for human consumption. National product approvals are still in place, with different requirements from one Member State to another. This renders it difficult and costly for manufacturers to market their products all over the Union. **The**

#### *Amendment*

(12) The provisions of Directive 98/83/EC on quality assurance of treatment, equipment and materials did not succeed in addressing obstacles to the internal market when it comes to the free circulation of construction products in contact with water intended for human consumption **or providing sufficient protection with regard to human health**. National product approvals are still in place, with different requirements from one Member State to another. This renders it difficult and costly

*removal of technical barriers may only be effectively achieved by establishing harmonised technical specifications for construction products in contact with water intended for human consumption under Regulation (EU) No 305/2011. That Regulation allows for the development of European standards harmonising the assessment methods for construction products in contact with water intended for human consumption and for threshold levels and classes to be set in relation to the performance level of an essential characteristic. To that end, a standardisation request specifically requiring standardisation work on hygiene and safety for products and materials in contact with water intended for human consumption under Regulation (EU) No 305/2011 has been included in the 2017 standardisation Work Programme<sup>82</sup>, and a standard is to be issued by 2018. The publication of this harmonised standard in the Official Journal of the European Union will ensure a rational decision-making for placing or making available on the market safe construction products in contact with water intended for human consumption. As a consequence, the provisions on equipment and material in contact with water intended for human consumption should be deleted, partly replaced by provisions related to the domestic distribution risk assessment and complemented by relevant harmonised standards under Regulation (EU) No 305/2011.*

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<sup>82</sup> SWD(2016)0185

## Amendment 21

### Proposal for a directive Recital 13

*Text proposed by the Commission*

*Amendment*

for manufacturers to market their products all over the Union. *That situation stems from the fact that there are no minimum European hygiene standards for all products and materials in contact with water intended for human consumption, which is essential for fully ensuring mutual recognition between Member States. The removal of technical barriers and conformity of all products and materials in contact with water intended for human consumption at Union level can, therefore, only be effectively achieved by establishing minimum quality requirements at Union level. As a consequence, those provisions should be strengthened by means of a procedure for harmonisation of such products and materials. That work should draw on the experience gained and advances made by a number of Member States that have been working together for some years, in a concerted effort, to bring about regulatory convergence.*



(13) Each Member State should ensure that monitoring programmes are established to check that water intended for human consumption meets the requirements of this Directive. Most of the monitoring carried out for the purposes of this Directive is performed by water suppliers. A certain flexibility should be granted to water suppliers as regards the parameters they monitor for the purposes of the supply risk assessment. If a parameter is not detected, water suppliers should be able to decrease the monitoring frequency or stop monitoring that parameter altogether. The supply risk assessment should be applied to most parameters. However, a core list of parameters should always be monitored with a certain minimum frequency. This Directive mainly sets provisions on monitoring frequency for the purposes of compliance checks and only limited provisions on monitoring for operational purposes. Additional monitoring for operational purposes may be necessary to ensure the correct functioning of water treatment, at the discretion of water suppliers. In that regard, the water suppliers may refer to the WHO's Guidelines and Water Safety Plan Manual.

(13) Each Member State should ensure that monitoring programmes are established to check that water intended for human consumption meets the requirements of this Directive. Most of the monitoring carried out for the purposes of this Directive is performed by water suppliers ***but, where necessary, Member States should clarify with which competent authorities the obligations stemming from the transposition of this Directive lie***. A certain flexibility should be granted to water suppliers as regards the parameters they monitor for the purposes of the supply risk assessment. If a parameter is not detected, water suppliers should be able to decrease the monitoring frequency or stop monitoring that parameter altogether. The supply risk assessment should be applied to most parameters. However, a core list of parameters should always be monitored with a certain minimum frequency. This Directive mainly sets provisions on monitoring frequency for the purposes of compliance checks and only limited provisions on monitoring for operational purposes. Additional monitoring for operational purposes may be necessary to ensure the correct functioning of water treatment, at the discretion of water suppliers. In that regard, the water suppliers may refer to the WHO's Guidelines and Water Safety Plan Manual.

## Amendment 22

### Proposal for a directive Recital 13 a (new)

*Text proposed by the Commission*

*Amendment*

***(13a) Given that water suppliers are both fragmented and numerous, encouragement and incentives should be offered for the use of common standards and practice for rapid exchange of data whenever necessary and in any event for the purposes of continuous monitoring.***

*New technologies can boost this dynamic at a modest or, at any rate, reasonable cost, with a view ultimately to providing more information to end-users, both citizens and stakeholders, and improving dynamics between water suppliers. Data exchange should, in addition, help to reduce waste or, as far as possible, keep it within bounds.*

#### *Justification*

*Wider ranging data exchange and facilitation thereof constitute added value, not least in terms of the safety and quality of water for human consumption, and the cost would probably not even be hard to meet. Lastly, data exchange could also be helpful in combating waste.*

### **Amendment 23**

#### **Proposal for a directive Recital 14**

##### *Text proposed by the Commission*

(14) The risk-based approach should **gradually** be applied by all water suppliers, including small water suppliers, as the evaluation of Directive 98/83/EC showed deficiencies in its implementation by those suppliers, which were sometimes due to the cost of performing unnecessary monitoring operations. When applying the risk-based approach, security concerns should be taken into account.

##### *Amendment*

(14) The risk-based approach should be applied by all water suppliers, including small **and medium-sized** water suppliers, as the evaluation of Directive 98/83/EC showed deficiencies in its implementation by those suppliers, which were sometimes due to the cost of performing unnecessary monitoring operations. When applying the risk-based approach, security concerns **and concerns relating to the ‘polluter pays’ principle** should be taken into account. **For smaller suppliers, the competent authority should support the monitoring operations by providing expert support.**

### **Amendment 24**

#### **Proposal for a directive Recital 14 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

**(14a) In order to deliver the strongest protection for public health, Member States should ensure a clear and balanced**

*distribution of responsibilities for the application of the risk-based approach in line with their national institutional and legal framework.*

## Amendment 25

### Proposal for a directive

#### Recital 15

##### *Text proposed by the Commission*

(15) In the event of non-compliance with the standards imposed by this Directive the Member State concerned should immediately investigate the cause and ensure that the necessary remedial action is taken as soon as possible to restore the quality of the water. In cases where the water supply constitutes a potential danger to human health, the supply of such water should be prohibited or its use restricted. In addition, *it is important to clarify that* failure to meet the minimum requirements for values relating to microbiological and chemical parameters should *automatically be considered by Member States as* a potential *danger* to human health. In cases where remedial action is necessary to restore the quality of water intended for human consumption, in accordance with Article 191(2) of the Treaty, priority should be given to action which rectifies the problem at source.

##### *Amendment*

(15) In the event of non-compliance with the standards imposed by this Directive the Member State concerned should immediately investigate the cause and ensure that the necessary remedial action is taken as soon as possible to restore the quality of the water. In cases where the water supply constitutes a potential danger to human health, the supply of such water should be prohibited or its use restricted, *and citizens who could be affected should be duly informed.* In addition, *in the event of* failure to meet the minimum requirements for values relating to microbiological and chemical parameters, *Member States should determine whether exceeding the values constitutes a potential risk to human health. To that end, Member States should take account of, in particular, the extent to which minimum requirements have not been met and the type of parameter concerned.* In cases where remedial action is necessary to restore the quality of water intended for human consumption, in accordance with Article 191(2) of the Treaty, priority should be given to action which rectifies the problem at source.

##### *Justification*

*Necessary for pressing reasons relating to the internal logic of the text.*

## Amendment 26

**Proposal for a directive**  
**Recital 15 a (new)**

*Text proposed by the Commission*

*Amendment*

***(15a) It is important to prevent contaminated water causing a potential danger to human health. Therefore, the supply of such water should be prohibited or its use restricted.***

**Amendment 27**

**Proposal for a directive**  
**Recital 16**

*Text proposed by the Commission*

*Amendment*

(16) Member States should ***no longer*** be authorised to grant derogations from this Directive. Derogations were initially used to allow Member States up to nine years to resolve a non-compliance with a parametric value. This procedure proved to be ***burdensome*** for Member States ***and Commission alike***. ***In addition***, in some cases, it led to delays in remedial actions being taken, as the possibility for derogation was considered ***as*** a transitional period. ***The provision on derogations should therefore be deleted. For reasons of protection of human health, when parametric values are exceeded, the provisions related to remedial actions should apply immediately without the possibility of granting a derogation from the parametric value.*** Derogations granted by Member States pursuant to Article 9 of Directive 98/83/EC and still applicable at the date of entry into force of this Directive should, ***however***, continue to apply ***until the end of the derogation but should not be renewed***.

(16) Member States should be authorised to grant derogations from this Directive. Derogations were initially used to allow Member States up to nine years to resolve a non-compliance with a parametric value. This procedure ***has*** proved to be ***useful*** for Member States, ***given the level of ambition of the Directive***. ***It should be noted, however, that***, in some cases, it ***has*** led to delays in remedial actions being taken, as the possibility for derogation was ***sometimes*** considered ***to be*** a transitional period. ***In the light of the fact, firstly, that the quality parameters in this Directive are to be strengthened and, secondly, that emerging pollutants are being increasingly detected, requiring stepped-up evaluation, monitoring and management actions, it remains, nonetheless, necessary to maintain a derogation procedure that is in keeping with those circumstances, provided that they do not constitute a potential risk to human health and provided that the supply of water intended for human consumption in the area concerned cannot otherwise be maintained by any other reasonable means. The provision in Directive 98/83/EC on derogations should therefore be amended so as to ensure faster and more effective compliance by***

***Member States with the requirements of this Directive.*** Derogations granted by Member States pursuant to Article 9 of Directive 98/83/EC and still applicable at the date of entry into force of this Directive should continue to apply ***in accordance with the arrangements laid down by the provisions in force when the derogation was granted.***

## Amendment 28

### Proposal for a directive Recital 17

#### *Text proposed by the Commission*

(17) The Commission, in its reply to the European citizens' initiative 'Right2Water' in 2014<sup>83</sup>, invited Member States to ensure access to a minimum water supply for all citizens, in accordance with the WHO recommendations. It also committed to continue to "improve access to safe drinking water [...] for the whole population through environmental policies"<sup>84</sup>. This is in line with UN Sustainable Development Goal 6 and the associated target to "achieve universal and equitable access to safe and affordable drinking water for all". The concept of equitable access covers a wide array of aspects such as availability (due for instance to geographic reasons, lack of infrastructure or the specific situation of certain parts of the populations), quality, acceptability, or financial affordability. Concerning affordability of water, it is important to recall that, when setting water tariffs in accordance with the principle of recovery of costs set out in Directive **2000/60/EC**, Member States may have regard to the variation in the economic and social conditions of the population and may therefore adopt social tariffs or take measures safeguarding populations at a socio-economic disadvantage. This Directive deals, in particular, with the

#### *Amendment*

(17) The Commission, in its reply to the European citizens' initiative 'Right2Water' in 2014<sup>83</sup>, invited Member States to ensure access to a minimum water supply for all citizens, in accordance with the WHO recommendations. It also committed to continue to "improve access to safe drinking water [...] for the whole population through environmental policies"<sup>84</sup>. ***This is in line with Articles 1 and 2 of the Charter of Fundamental Rights of the European Union.*** This is ***also*** in line with UN Sustainable Development Goal 6 and the associated target to "achieve universal and equitable access to safe and affordable drinking water for all". The concept of equitable access covers a wide array of aspects such as availability (due for instance to geographic reasons, lack of infrastructure or the specific situation of certain parts of the populations), quality, acceptability, or financial affordability. Concerning affordability of water, it is important to recall that, ***without prejudice to Article 9(4) of Directive 2000/60/EC***, when setting water tariffs in accordance with the principle of recovery of costs set out in ***that*** Directive, Member States may have regard to the variation in the economic and social conditions of the population and

aspects of access to water which are related to quality and availability. To address those aspects, as part of the reply to the European citizens' initiative and to contribute to the implementation of Principle 20 of the European Pillar of Social Rights<sup>85</sup> that states that "everyone has the right to access essential services of good quality, including water", Member States should be required to tackle the issue of access to water at national level whilst enjoying *some* discretion as to the exact type of measures to be implemented. This can be done through actions aimed, inter alia, at improving access to water intended for human consumption for all, for instance with freely accessible fountains in cities, and promoting its use by encouraging the free provision of water intended for human consumption in public buildings *and* restaurants.

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<sup>83</sup> COM(2014)0177

<sup>84</sup> COM(2014)0177, p. 12.

<sup>85</sup> Interinstitutional Proclamation on the European Pillar of Social Rights (2017/C 428/09) of 17 November 2017 (OJ C 428, 13.12.2017, p. 10).

may therefore adopt social tariffs or take measures safeguarding populations at a socio-economic disadvantage. This Directive deals, in particular, with the aspects of access to water which are related to quality and availability. To address those aspects, as part of the reply to the European citizens' initiative and to contribute to the implementation of Principle 20 of the European Pillar of Social Rights<sup>85</sup> that states that "everyone has the right to access essential services of good quality, including water", Member States should be required to tackle the issue of *affordable* access to water at national level whilst enjoying *a certain margin of* discretion as to the exact type of measures to be implemented. This can be done through actions aimed, inter alia, at improving access to water intended for human consumption for all, for instance *by not unjustifiably making water quality requirements more stringent on public-health grounds, which would increase the price of water for citizens*, with freely accessible fountains in cities, and promoting its use by encouraging the free provision of water intended for human consumption in public buildings, restaurants, *shopping and recreational centres, as well as areas of transit and large footfall such as train stations or airports. Member States should be free to determine the right mix of such instruments with regard to their specific national circumstances.*

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<sup>83</sup> COM(2014)0177

<sup>84</sup> COM(2014)0177, p. 12.

<sup>85</sup> Interinstitutional Proclamation on the European Pillar of Social Rights (2017/C 428/09) of 17 November 2017 (OJ C 428, 13.12.2017, p. 10).

## Amendment 29

### Proposal for a directive Recital 18

#### *Text proposed by the Commission*

(18) The European Parliament, in its Resolution on the "follow-up to the European citizens' initiative Right2Water"<sup>86</sup>, "requested that Member States should pay special attention to the needs of vulnerable groups in society"<sup>87</sup>. The specific situation of minority cultures, such as Roma, *Sinti*, Travellers, *Kalé*, *Gens du voyage etc.*, whether sedentary or not – in particular their lack of access to drinking water – was also acknowledged in the Commission Report on the implementation of the EU Framework for National Roma Integration Strategies<sup>88</sup> and the Council Recommendation on effective Roma integration measures in the Member States<sup>89</sup>. In light of that general context, it is appropriate that Member States pay particular attention to vulnerable and marginalised groups by taking the necessary measures to ensure that those groups have access to water. Without prejudice to the right of the Member States to define those groups, they should at least include refugees, nomadic communities, homeless people and minority cultures such as Roma, *Sinti*, Travellers, *Kalé*, *Gens du voyage, etc.*, whether sedentary or not. Such measures to ensure access, left to the appreciation of the Member States, might for example include providing alternative supply systems (individual treatment devices), providing water via tankers (trucks and cisterns) and ensuring the necessary infrastructure for camps.

#### *Amendment*

(18) The European Parliament, in its Resolution on the "follow-up to the European citizens' initiative Right2Water"<sup>86</sup>, "requested that Member States should pay special attention to the needs of vulnerable groups in society"<sup>87</sup>. The specific situation of minority cultures, such as Roma *and* Travellers, whether sedentary or not – in particular their lack of access to drinking water – was also acknowledged in the Commission Report on the implementation of the EU Framework for National Roma Integration Strategies<sup>88</sup> and the Council Recommendation on effective Roma integration measures in the Member States<sup>89</sup>. In light of that general context, it is appropriate that Member States pay particular attention to vulnerable and marginalised groups by taking the necessary measures to ensure that those groups have access to water. ***Taking into account the principle of recovery of costs set out in Directive 2000/60/EC, Member States should improve access to water for vulnerable and marginalised groups without jeopardising the supply of universally affordable high-quality water.*** Without prejudice to the right of the Member States to define those groups, they should at least include refugees, nomadic communities, homeless people and minority cultures such as Roma *and* Travellers, whether sedentary or not. Such measures to ensure access, left to the appreciation of the Member States, might for example include providing alternative supply systems (individual treatment devices), providing water via tankers (trucks and cisterns) and ensuring the necessary infrastructure for camps. ***Where local public authorities are made responsible for meeting those obligations,***

*Member States should ensure that they have sufficient financial resources and technical and material capacities and should support them accordingly, by providing expert support for example. In particular, the distribution of water for vulnerable and marginalised groups should not be disproportionately costly for local public authorities.*

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<sup>86</sup> P8\_TA(2015)0294

<sup>87</sup> P8\_TA(2015)0294, paragraph 62.

<sup>88</sup> COM(2014)0209

<sup>89</sup> Council Recommendation (2013/C 378/01) of 9 December 2013 on effective Roma integration measures in the Member States (OJ C 378, 24.12.2013, p. 1).

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<sup>86</sup> P8\_TA(2015)0294

<sup>87</sup> P8\_TA(2015)0294, paragraph 62.

<sup>88</sup> COM(2014)0209

<sup>89</sup> Council Recommendation (2013/C 378/01) of 9 December 2013 on effective Roma integration measures in the Member States (OJ C 378, 24.12.2013, p. 1).

## Amendment 30

### Proposal for a directive

#### Recital 19

##### *Text proposed by the Commission*

(19) The 7<sup>th</sup> Environment Action Programme to 2020 ‘Living well, within the limits of our planet’<sup>90</sup>, requires that the public have access to clear environmental information at national level. Directive 98/83/EC only provided for passive access to information, meaning that Member States merely had to ensure that information was available. Those provisions should therefore be replaced to ensure that up-to-date information is easily accessible, for instance *on* a website *whose link should be actively distributed*. The up-to-date information should not only include results from the monitoring programmes, but also additional information that the public may find useful, such as *information on indicators (iron, hardness, minerals, etc.), which often influence consumers' perception of tap water. To that end, the indicator parameters of*

##### *Amendment*

(19) The 7<sup>th</sup> Environment Action Programme to 2020 ‘Living well, within the limits of our planet’<sup>90</sup>, requires that the public have access to clear environmental information at national level. Directive 98/83/EC only provided for passive access to information, meaning that Member States merely had to ensure that information was available. Those provisions should therefore be replaced to ensure that up-to-date information *that is comprehensible and relevant to consumers and* easily accessible, for instance *in a booklet, a website or a smart application*. The up-to-date information should not only include results from the monitoring programmes, but also additional information that the public may find useful, such as *the outcome of actions taken to monitor water suppliers as regards water quality parameters and*



*Directive 98/83/EC that did not provide health-related information should be replaced by on-line information on those parameters. For very large water suppliers, additional information on, inter alia, energy efficiency, management, governance, cost structure, and treatment applied, should also be available on-line. It is assumed that better consumer knowledge and improved transparency will contribute to increasing citizens' confidence in the water supplied to them. This in turn is expected to lead to increased use of tap water, thereby contributing to reduced plastic litter and greenhouse gas emissions, and a positive impact on climate change mitigation and the environment as a whole.*

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<sup>90</sup> Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet' (OJ L 354, 28.12.2013, p. 171).

*information on indicator parameters listed in Part Ba of Annex I. For very large water suppliers, additional information on, inter alia, management, tariff structure and treatment applied, should also be available on-line. The purpose of better consumer knowledge of relevant information and improved transparency should be to increase citizens' confidence in the water supplied to them, as well as in water services, and should lead to an increased use of tap water as drinking water, which could contribute to reduced plastic usage and litter and greenhouse gas emissions, and a positive impact on climate change mitigation and the environment as a whole.*

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<sup>90</sup> Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet' (OJ L 354, 28.12.2013, p. 171).

## Amendment 31

### Proposal for a directive Recital 20

#### *Text proposed by the Commission*

(20) For the same reasons, and in order to make consumers more aware of the implications of water consumption, they should also receive information **(for instance on their invoice or by smart applications)** on the volume consumed, the **cost** structure of the tariff charged by the water supplier, including variable and fixed **costs**, as well as on the price per litre of water intended for human consumption, thereby allowing a comparison with the price of bottled water.

#### *Amendment*

(20) For the same reasons, and in order to make consumers more aware of the implications of water consumption, they should also receive information **in an easily accessible manner, for instance on their invoice or by smart application** on the volume consumed **per year, changes in consumption, a comparison with average household consumption, where such information is available to the water supplier**, the structure of the tariff charged by the water supplier, including **the distribution of** variable and fixed **parts of it**, as well as on the price per litre of water intended for human consumption, thereby

allowing a comparison with the price of bottled water.

## Amendment 32

### Proposal for a directive Recital 21

#### *Text proposed by the Commission*

(21) The principles to be considered in the setting of water tariffs, namely recovery of costs for water services and polluter pays, are set out in Directive **2000/60/EC**. However, the financial sustainability of the provision of water services is not always ensured, sometimes leading to under-investment in the maintenance of water infrastructure. With the improvement of monitoring techniques, leakage **rates** – mainly due to such under-investment – have become increasingly apparent and reduction of water losses should be encouraged at Union level to improve the efficiency of water infrastructure. In line with the principle of subsidiarity, **that** issue **should be addressed by increasing transparency and consumer information on leakage rates and energy efficiency**.

#### *Amendment*

(21) The **fundamental** principles to be considered in the setting of water tariffs, **without prejudice to Article 9(4) of Directive 2000/60/EC**, namely recovery of costs for water services and polluter pays, are set out in **that** Directive. However, the financial sustainability of the provision of water services is not always ensured, sometimes leading to under-investment in the maintenance of water infrastructure. With the improvement of monitoring techniques, leakage **levels** – mainly due to such under-investment – have become increasingly apparent and reduction of water losses should be encouraged at Union level to improve the efficiency of water infrastructure. In line with the principle of subsidiarity, **in order to raise awareness of this** issue, **the information related to it should be shared in a more transparent way with consumers**.

## Amendment 33

### Proposal for a directive Recital 22

#### *Text proposed by the Commission*

(22) Directive 2003/4/EC of the European Parliament and of the Council<sup>91</sup> aims at guaranteeing the right of access to environmental information in the Member States **in line with the Aarhus Convention**. It encompasses broad obligations related both to making environmental information available upon request and actively

#### *Amendment*

(22) Directive 2003/4/EC of the European Parliament and of the Council<sup>91</sup> aims at guaranteeing the right of access to environmental information in the Member States. It encompasses broad obligations related both to making environmental information available upon request and actively disseminating such information.

disseminating such information. Directive 2007/2/EC of the European Parliament and of the Council<sup>92</sup> is also of broad scope, covering the sharing of spatial information, including data-sets on different environmental topics. It is important that provisions of this Directive related to access to information and data-sharing arrangements complement those Directives and do not create a separate legal regime. Therefore, the provisions of this Directive on information to the public and on information on monitoring of implementation should be without prejudice to Directives 2003/4/EC and 2007/2/EC.

Directive 2007/2/EC of the European Parliament and of the Council<sup>92</sup> is also of broad scope, covering the sharing of spatial information, including data-sets on different environmental topics. It is important that provisions of this Directive related to access to information and data-sharing arrangements complement those Directives and do not create a separate legal regime. Therefore, the provisions of this Directive on information to the public and on information on monitoring of implementation should be without prejudice to Directives 2003/4/EC and 2007/2/EC.

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<sup>91</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

<sup>92</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

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<sup>91</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

<sup>92</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

## Amendment 34

### Proposal for a directive

#### Recital 25

##### *Text proposed by the Commission*

(25) Pursuant to paragraph 22 of the Interinstitutional Agreement on Better Law-Making, the Commission should carry out an evaluation of this Directive within a certain period of time from the date set for its transposition. That evaluation should be based on experience gathered and data collected during the implementation of the Directive, on *relevant scientific, analytical, epidemiological data, and on*

##### *Amendment*

(25) Pursuant to paragraph 22 of the Interinstitutional Agreement on Better Law-Making, the Commission should carry out an evaluation of this Directive within a certain period of time from the date set for its transposition. That evaluation should be based on experience gathered and data collected during the implementation of the Directive, on any available WHO recommendations, *and on relevant*

any available WHO recommendations.

*scientific, analytical and epidemiological data.*

## Amendment 35

### Proposal for a directive

#### Recital 28

##### *Text proposed by the Commission*

(28) In order to adapt this Directive to scientific and technical progress or to specify monitoring requirements for the purposes of the hazard and domestic distribution risk assessments, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I to IV to this Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. In addition, the empowerment laid down in Annex I, part C, Note 10, of Directive 98/83/EC, to set monitoring frequencies and monitoring methods for radioactive substances has become obsolete due to the adoption of Council Directive 2013/51/Euratom<sup>96</sup> and should therefore be deleted. The empowerment laid down in the second subparagraph of part A of Annex III to Directive 98/83/EC concerning amendments of the Directive is no longer necessary and should be deleted.

##### *Amendment*

(28) In order to adapt this Directive to scientific and technical progress or to specify monitoring requirements for the purposes of the hazard and domestic distribution risk assessments, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I to IV to this Directive, ***and take measures necessary under the changes set out under Article 10a.*** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. In addition, the empowerment laid down in Annex I, part C, Note 10, of Directive 98/83/EC, to set monitoring frequencies and monitoring methods for radioactive substances has become obsolete due to the adoption of Council Directive 2013/51/Euratom<sup>96</sup> and should therefore be deleted. The empowerment laid down in the second subparagraph of part A of Annex III to Directive 98/83/EC concerning amendments of the Directive is no longer necessary and should be deleted.

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<sup>96</sup> Council Directive 2013/51/Euratom of 22 October 2013 laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption (OJ L 296, 7.11.2013, p. 12).

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<sup>96</sup> Council Directive 2013/51/Euratom of 22 October 2013 laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption (OJ L 296, 7.11.2013, p. 12).

## Amendment 36

### Proposal for a directive Article 1 – paragraph 1

#### *Text proposed by the Commission*

1. This Directive concerns the quality of water intended for human consumption.

#### *Amendment*

1. This Directive concerns the quality of water intended for human consumption ***for all in the Union.***

#### *Justification*

*Necessary for reasons related to the internal logic of the text. The introduction of the access to water (Article 13) was not reflected in Article 1 of the COM Proposal.*

## Amendment 37

### Proposal for a directive Article 1 – paragraph 2

#### *Text proposed by the Commission*

2. The objective of this Directive shall be to protect human health from the adverse effects of any contamination of water intended for human consumption by ensuring that it is wholesome and clean.

#### *Amendment*

2. The objective of this Directive shall be to protect human health from the adverse effects of any contamination of water intended for human consumption by ensuring that it is wholesome and clean, ***and to promote universal access to water intended for human consumption.***

#### *Justification*

*Necessary for reasons related to the internal logic of the text. The introduction of the access to water (Article 13) was not reflected in Article 1 of the COM Proposal.*

## Amendment 38

### Proposal for a directive

#### Article 2 – paragraph 1 – point 1

##### *Text proposed by the Commission*

1. 'water intended for human consumption' shall mean all water either in its original state or after treatment, intended for drinking, cooking, food preparation or production, or other domestic purposes in both public and private premises, regardless of its origin and whether it is supplied from a distribution network, supplied from a tanker or, **for spring waters**, put in bottles .

##### *Amendment*

1. 'water intended for human consumption' shall mean all water either in its original state or after treatment, intended for drinking, cooking, food preparation or production, **or for other food purposes**, or other domestic purposes in both public and private premises, **including food businesses**, regardless of its origin and whether it is supplied from a distribution network, supplied from a tanker or put in bottles **or containers**.

## Amendment 39

### Proposal for a directive

#### Article 2 – paragraph 1 – point 2

##### *Text proposed by the Commission*

2. 'domestic distribution system' shall mean the pipework, fittings and appliances which are installed between the taps that are normally used for human consumption in both public and private premises and the distribution network but only if they are not the responsibility of the water supplier, in its capacity as a water supplier, according to the relevant national law.

##### *Amendment*

*(Does not affect the English version.)*

## Amendment 40

### Proposal for a directive

#### Article 2 – paragraph 1 – point 3

##### *Text proposed by the Commission*

3. 'water supplier' shall mean **an** entity supplying at least 10 m<sup>3</sup> of water intended for human consumption a day as an

##### *Amendment*

3. 'water supplier' shall mean **a legal** entity supplying at least 10 m<sup>3</sup> of water intended for human consumption a day as

average.

an average.

#### **Amendment 41**

##### **Proposal for a directive**

##### **Article 2 – paragraph 1 – point 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. 'very small water supplier' shall mean a water supplier supplying less than 50 m<sup>3</sup> per day or serving less than 250 people.**

#### **Amendment 42**

##### **Proposal for a directive**

##### **Article 2 – paragraph 1 – point 4**

*Text proposed by the Commission*

*Amendment*

4. 'small water supplier' shall mean a water supplier supplying less than 500 m<sup>3</sup> per day or serving less than **5 000** people.

4. 'small water supplier' shall mean a water supplier supplying less than 500 m<sup>3</sup> per day or serving less than **2 500** people.

#### **Amendment 43**

##### **Proposal for a directive**

##### **Article 2 – paragraph 1 – point 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. 'medium water supplier' shall mean a water supplier supplying at least 500 m<sup>3</sup> per day or serving at least 2 500 people.**

#### **Amendment 44**

##### **Proposal for a directive**

##### **Article 2 – paragraph 1 – point 5**

*Text proposed by the Commission*

5. 'large water supplier' shall mean a water supplier supplying at least **500** m<sup>3</sup> per day or serving at least **5 000** people.

*Amendment*

5. 'large water supplier' shall mean a water supplier supplying at least **5 000** m<sup>3</sup> per day or serving at least **25 000** people.

**Amendment 45**

**Proposal for a directive**

**Article 2 – paragraph 1 – point 6**

*Text proposed by the Commission*

6. 'very large water supplier' shall mean a water supplier supplying at least **5 000** m<sup>3</sup> per day or serving at least **50 000** people.

*Amendment*

6. 'very large water supplier' shall mean a water supplier supplying at least **20 000** m<sup>3</sup> per day or serving at least **100 000** people.

**Amendment 46**

**Proposal for a directive**

**Article 2 – paragraph 1 – point 7**

*Text proposed by the Commission*

7. 'priority premises' shall mean large premises with many **users** potentially exposed to water-related risks, such as hospitals, healthcare institutions, buildings with a lodging facility, penal institutions and campgrounds, as identified by Member States.

*Amendment*

7. 'priority premises' shall mean large **non-household** premises with many **people, in particular vulnerable people**, potentially exposed to water-related risks, such as hospitals, healthcare institutions, **retirement homes, schools, universities and other education facilities, crèches and nurseries, sport, recreation, leisure and exhibition facilities**, buildings with a lodging facility, penal institutions and campgrounds, as identified by Member States.

**Amendment 47**

**Proposal for a directive**

**Article 2 – paragraph 1 – point 8 a (new)**



*Text proposed by the Commission*

*Amendment*

**8a. ‘food business’ shall mean a food business as defined in point (2) of Article 3 of Regulation (EC) No 178/2002.**

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text. This definition clarifies the meaning of the term in this Directive and ensures consistency with the legislation already in place.*

## **Amendment 48**

### **Proposal for a directive Article 3 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a. For water used in food businesses for the manufacture, processing, preservation or marketing of products or substances intended for human consumption, only Articles 4, 5, 6 and 11 of this Directive shall apply. However, none of the articles of this Directive shall apply where an operator of a food business can demonstrate to the satisfaction of the competent national authorities that the quality of the water it uses does not affect the hygiene of the products or substances resulting from its activities and that such products or substances comply with Regulation (EC) No 852/2004 of the European Parliament and of the Council<sup>1a</sup>.**

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**<sup>1a</sup> Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1).**

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## **Amendment 49**

### **Proposal for a directive Article 3 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1b. A producer of water intended for human consumption that is put into bottles or containers shall not be considered a water supplier.***

***Provisions of this Directive shall apply to water intended for human consumption put into bottles or containers insofar as they are not covered by obligations under other Union legislation.***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## **Amendment 50**

### **Proposal for a directive Article 3 – paragraph 1 c (new)**

*Text proposed by the Commission*

*Amendment*

***1c. Maritime vessels that desalinate water, carry passengers and act as water suppliers shall only be subject to Articles 1 to 7 and 9 to 12 of this Directive and its Annexes.***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## **Amendment 51**

### **Proposal for a directive Article 4 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) Member States have taken all other measures necessary to comply with the requirements set out in Articles 5 to 12 of this Directive.

*Amendment*

(c) Member States have taken all other measures necessary to comply with the requirements set out:

(i) in Articles 4 to 12 of this Directive ***for water intended for human consumption supplied to the final consumers from a distribution network or from a tanker;***

(ii) in Articles 4, 5 and 6 and Article 11(4) of this Directive ***for water intended for human consumption put into bottles or containers in a food business;***

(iii) in Articles 4, 5, 6 and 11 of this Directive ***for water intended for human consumption produced and used in a food business for the production, processing and distribution of food.***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

**Amendment 52**

**Proposal for a directive  
Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall ensure that the measures taken to implement this Directive in no circumstances have the effect of allowing, directly or indirectly, any deterioration of the present quality of water intended for human consumption or any increase in the pollution of waters used for the production of water intended for human consumption .

*Amendment*

2. Member States shall ensure that the measures taken to implement this Directive ***adhere fully to the precautionary principle and*** in no circumstances have the effect of allowing, directly or indirectly, any deterioration of the present quality of water intended for human consumption or any increase in the pollution of waters used for the production of water intended for human consumption .

*Justification*

*The link to the precautionary principle should be made explicit in this Article as, particularly*

*with the introduction of the risk-based approach, this principle should underpin the approach to the obligations upon Member States throughout this Directive*

## **Amendment 53**

### **Proposal for a directive**

#### **Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Member States shall take measures to ensure that competent authorities carry out an assessment of the water leakage levels on their territory and of the potential for improvements in water leakage reduction in the drinking water sector. That assessment shall take into account relevant public health, environmental, technical and economic aspects. Member States shall adopt, by 31 December 2022, national targets to reduce the leakage levels of water suppliers in their territory by 31 December 2030. Member States may provide meaningful incentives to ensure that water suppliers in their territory meet the national targets.***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## **Amendment 54**

### **Proposal for a directive**

#### **Article 4 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***2b. If a competent authority in charge of the production and distribution of water intended for human consumption hands over the management of all or part of the water production or supply activities to a water supplier, the contract between the competent authority and the water supplier shall specify each party's***

*responsibilities under this Directive.*

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## **Amendment 55**

### **Proposal for a directive Article 5 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall set values applicable to water intended for human consumption for the parameters set out in Annex I, ***which shall not be less stringent than the values set out therein.***

*Amendment*

1. Member States shall set values applicable to water intended for human consumption for the parameters set out in Annex I.

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text.*

## **Amendment 56**

### **Proposal for a directive Article 5 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The values set pursuant to paragraph 1 shall not be less stringent than those set out in Parts A, B and Ba of Annex I. As regards the parameters set out in Part Ba of Annex I, the values shall be set only for monitoring purposes and for the sake of ensuring that the requirements set out in Article 12 are met.***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text.*

## Amendment 57

### Proposal for a directive

#### Article 5 – paragraph 2 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***The Member States shall take all necessary measures to ensure that the treatment agents, the materials, and the disinfection procedures used for disinfection purposes in water supply systems do not adversely affect the quality of water intended for human consumption. Any contamination of water intended for human consumption from the use of such agents, materials and procedures shall be minimised without, however, compromising the effectiveness of the disinfection.***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text.*

## Amendment 58

### Proposal for a directive

#### Article 6 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

The parametric values set in accordance with Article 5 for the parameters listed in Annex I, parts A **and** B, shall be complied with:

The parametric values set in accordance with Article 5 for the parameters listed in Annex I, parts A, B **and** C, shall be complied with:

## Amendment 59

### Proposal for a directive

#### Article 6 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

(c) in the case of ***spring waters*** , at the point at which the water is put into the

(c) in the case of ***water intended for human consumption put into bottles or***

bottles.

*containers*, at the point at which the water is put into the bottles *or containers*;

## Amendment 60

### Proposal for a directive

#### Article 6 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

*(ca) in the case of water used in a food business where water is supplied by a water supplier, at the point of delivery in the food business.*

## Amendment 61

### Proposal for a directive

#### Article 6 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

*1a. In the case of water covered by point (a) of paragraph 1, Member States shall be deemed to have fulfilled their obligations under this Article, where it can be established that non-compliance with the parameters provided for in Article 5 is caused by a private distribution system or the maintenance thereof, except as regards priority premises.*

## Amendment 62

### Proposal for a directive

#### Article 7 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) a hazard assessment of bodies of water used for the abstraction of water intended for human consumption, in

(a) a hazard assessment of bodies of water *or parts of bodies of water* used for the abstraction of water intended for

accordance with Article 8;

human consumption, *carried out by Member States* in accordance with Article 8;

### **Amendment 63**

#### **Proposal for a directive Article 7 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) a supply risk assessment carried out by the water suppliers for the purposes of monitoring the quality of the water they supply, in accordance with Article 9 and Annex II, part C;

*Amendment*

(b) a supply risk assessment carried out by the water suppliers *in each water supply system* for the purposes of *safeguarding and* monitoring the quality of the water they supply, in accordance with Article 9 and Annex II, part C;

### **Amendment 64**

#### **Proposal for a directive Article 7 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1a. Member States may adapt the implementation of the risk-based approach, without compromising the objective of this Directive concerning the quality of water intended for human consumption and the health of consumers, when there are particular constraints due to geographical circumstances such as remoteness or accessibility of water supply zone.*

### **Amendment 65**

#### **Proposal for a directive Article 7 – paragraph 1 b (new)**



*Text proposed by the Commission*

*Amendment*

***1b. Member States shall ensure a clear and appropriate distribution of responsibilities between stakeholders, as defined by the Member States, for the application of the risk-based approach with regard to the bodies of water used for the abstraction of water intended for human consumption and domestic distribution systems. Such distribution of responsibilities shall be tailored to their institutional and legal framework.***

## **Amendment 66**

### **Proposal for a directive Article 7 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Hazard assessments shall be carried out by [3 years after the end-date for transposition of this Directive]. They shall be reviewed every 3 years, and updated where necessary.

2. Hazard assessments shall be carried out by [3 years after the end-date for transposition of this Directive]. They shall be reviewed every 3 years, ***taking account of the requirement, provided for in Article 7 of Directive 2000/60/EC, for Member States to identify bodies of water,*** and updated where necessary.

## **Amendment 67**

### **Proposal for a directive Article 7 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. Supply risk assessments shall be carried out by ***very large water suppliers and large water suppliers by [3 years after the end-date for transposition of this Directive], and by small water suppliers*** by [6 years after the end-date for transposition of this Directive]. They shall

3. Supply risk assessments shall be carried out by water suppliers by [6 years after the end-date for transposition of this Directive]. They shall be reviewed at regular intervals of no longer than 6 years, and updated where necessary.

be reviewed at regular intervals of no longer than 6 years, and updated where necessary.

## Amendment 68

### Proposal for a directive Article 7 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3a. Pursuant to Articles 8 and 9 of this Directive, Member States shall take the necessary corrective measures under the programmes of measures and river basin management plans provided for in Articles 11 and 13 of Directive 2000/60/EC respectively.**

## Amendment 69

### Proposal for a directive Article 7 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. Domestic distribution risk assessments shall be carried out by [3 years after the end-date for transposition of this Directive]. They shall be reviewed every 3 years, and updated where necessary.

4. Domestic distribution risk assessments **in the premises referred to in Article 10(1)** shall be carried out by [3 years after the end-date for transposition of this Directive]. They shall be reviewed every 3 years, and updated where necessary.

## Amendment 70

### Proposal for a directive Article 8 – title

*Text proposed by the Commission*

*Amendment*

Hazard assessment of bodies of water used for the abstraction of water intended for

Hazard assessment, **monitoring and management** of bodies of water used for

human consumption

the abstraction of water intended for human consumption

## Amendment 71

### Proposal for a directive

#### Article 8 – paragraph 1 – introductory part

##### *Text proposed by the Commission*

1. Without prejudice to **Articles 6 and 7 of** Directive 2000/60/EC, Member States shall ensure that a hazard assessment is performed covering the bodies of water used for the abstraction of water intended for human consumption that provide more than 10 m<sup>3</sup> a day as an average. The hazard assessment shall include the following elements:

##### *Amendment*

1. Without prejudice to Directive 2000/60/EC, **in particular Articles 4 to 8**, Member States shall, **in cooperation with their competent water authorities**, ensure that a hazard assessment is performed covering the bodies of water used for the abstraction of water intended for human consumption that provide more than 10 m<sup>3</sup> a day as an average. The hazard assessment shall include the following elements:

## Amendment 72

### Proposal for a directive

#### Article 8 – paragraph 1 – point a

##### *Text proposed by the Commission*

(a) identification of and geo-references for all abstraction points in the bodies of water covered by the hazard assessment;

##### *Amendment*

(a) identification of and geo-references for all abstraction points in the bodies **or parts of bodies** of water covered by the hazard assessment. **Given that the data referred to in this point are potentially sensitive, in particular in the context of public health protection, the Member States shall ensure that such data are protected and communicated only to the relevant authorities;**

## Amendment 73

### Proposal for a directive

#### Article 8 – paragraph 1 – point b

*Text proposed by the Commission*

*Amendment*

(b) mapping of the safeguard zones, where those zones have been established in accordance with Article 7(3) of Directive 2000/60/EC, **and the protected areas referred to in Article 6 of that Directive;**

(b) mapping of the safeguard zones, where those zones have been established in accordance with Article 7(3) of Directive 2000/60/EC;

*Justification*

*This would go beyond the scope of the Drinking Water Directive in terms of protected areas (nature protection and nutrient sensitive areas are also part of protected areas under Art. 6). Drinking water protected areas have to be identified according to Art. 7, no need for a reference to Art. 6.*

**Amendment 74**

**Proposal for a directive  
Article 8 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) identification of hazards and possible pollution sources affecting the bodies of water covered by the hazard assessment. To that end, Member States may use the review of the impact of human activity undertaken in accordance with Article 5 of Directive 2000/60/EC and information on significant pressures collected in accordance with point 1.4 of Annex II to that Directive;

(c) identification of hazards and possible pollution sources affecting the bodies of water, **or parts of bodies of water**, covered by the hazard assessment. **Such identification of pollution sources shall be regularly updated in accordance with Article 7.** To that end, Member States may use the review of the impact of human activity undertaken in accordance with Article 5 of Directive 2000/60/EC and information on significant pressures collected in accordance with point 1.4 of Annex II to that Directive;

**Amendment 75**

**Proposal for a directive  
Article 8 – paragraph 1 – point d – introductory part**

*Text proposed by the Commission*

*Amendment*

(d) regular monitoring in the bodies of water covered by the hazard assessment of **relevant** pollutants selected from the

(d) regular monitoring in the bodies **or parts of bodies** of water covered by the hazard assessment of pollutants **that are**

following lists:

*relevant for the water supply and that are selected from the following lists:*

## **Amendment 76**

### **Proposal for a directive**

#### **Article 8 – paragraph 1 – point d – point iv**

##### *Text proposed by the Commission*

(iv) other relevant pollutants, such as microplastics, or river basin specific pollutants established by Member States on the basis of the review of the impact of human activity undertaken in accordance with Article 5 of Directive 2000/60/EC and information on significant pressures collected in accordance with point 1.4 of Annex II to that Directive.

##### *Amendment*

(iv) ***parameters for monitoring purposes only in Part Ca of Annex I, or other relevant pollutants, such as microplastics, provided that a methodology to measure microplastics as specified in Article 11(5b) is in place,*** or river basin specific pollutants established by Member States on the basis of the review of the impact of human activity undertaken in accordance with Article 5 of Directive 2000/60/EC and information on significant pressures collected in accordance with point 1.4 of Annex II to that Directive.

## **Amendment 77**

### **Proposal for a directive**

#### **Article 8 – paragraph 1 – subparagraph 1 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

***Very small water suppliers may be exempted from the requirements referred to in points (a), (b) and (c) of this paragraph, provided that the competent authority has prior and up to date documented knowledge of the relevant parameters referred to in those points. This exemption shall be reviewed by the competent authority at least every three years and updated where necessary.***

## Amendment 78

### Proposal for a directive Article 8 – paragraph 3

*Text proposed by the Commission*

*Amendment*

**3. Member States shall inform water suppliers using the body of water covered by the hazard assessment of the results of the monitoring carried out under paragraph 1(d) and may, on the basis of those monitoring results:** *deleted*

**(a) require water suppliers to carry out additional monitoring or treatment of certain parameters;**

**(b) allow water suppliers to decrease the monitoring frequency of certain parameters, without being required to carry out a supply risk assessment, provided that they are not core parameters within the meaning of Annex II, part B, point 1, and provided that no factor that can be reasonably anticipated is likely to cause deterioration of the quality of the water.**

## Amendment 79

### Proposal for a directive Article 8 – paragraph 4

*Text proposed by the Commission*

*Amendment*

**4. In such cases where a water supplier is allowed to decrease the monitoring frequency as referred to in paragraph 2(b), Member States shall continue to regularly monitor those parameters in the body of water covered by the hazard assessment.** *deleted*

## Amendment 80

### Proposal for a directive

#### Article 8 – paragraph 5 – subparagraph 1 – introductory part

##### *Text proposed by the Commission*

On the basis of the information collected under paragraphs 1 and 2 and gathered under Directive 2000/60/EC, Member States shall take the following measures in cooperation with water suppliers and other stakeholders, ***or ensure that those measures are taken by the water suppliers:***

##### *Amendment*

On the basis of the information collected under paragraphs 1 and 2 and gathered under Directive 2000/60/EC, Member States shall take the following measures in cooperation with water suppliers and other stakeholders:

## Amendment 81

### Proposal for a directive

#### Article 8 – paragraph 5 – subparagraph 1 – point a

##### *Text proposed by the Commission*

(a) prevention measures to reduce the level of treatment required and to safeguard the water quality, including measures referred to in Article 11(3)(d) of Directive 2000/60/EC;

##### *Amendment*

(a) prevention measures to ***avoid treatment or*** reduce the level of treatment required and to safeguard the water quality, including measures referred to in Article 11(3)(d) of Directive 2000/60/EC, ***as well as measures to reduce leakages in the system;***

## Amendment 82

### Proposal for a directive

#### Article 8 – paragraph 5 – subparagraph 1 – point a a (new)

##### *Text proposed by the Commission*

##### *Amendment*

***(aa) ensure that polluters, in cooperation with water suppliers and other relevant stakeholders, take preventive measures to reduce or avoid the level of treatment required and to safeguard the water quality, including measures referred to in point (d) of Article 11(3) of Directive 2000/60/EC as well as additional***

*measures deemed necessary on the basis of the monitoring carried out under point (d) of paragraph 1 of this Article;*

## **Amendment 83**

### **Proposal for a directive**

#### **Article 8 – paragraph 5 – subparagraph 1 – point b**

*Text proposed by the Commission*

(b) mitigating measures, which are considered necessary on the basis of the monitoring carried out under paragraph 1(d), in order to identify and address the pollution source.

*Amendment*

(b) mitigating measures, which are considered necessary on the basis of the monitoring carried out under paragraph 1(d), in order to identify and address the pollution source ***and avoid any additional treatment, when prevention measures are considered not viable or not effective enough to address the pollution source in a timely manner;***

#### *Justification*

*In some Member States, water operators do not have the legal powers to decide and implement preventive or mitigation measures alone because this power is with the public authorities. To ensure consistency with provisions of Article 7.3 in the Water Framework Directive, preventive measures should be preferred when possible to reduce the level of treatment required.*

## **Amendment 84**

### **Proposal for a directive**

#### **Article 8 – paragraph 5 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) where measures set out in points (aa) and (b) have not been deemed sufficient to provide adequate protection for human health, require water suppliers to carry out additional monitoring of certain parameters at the point of abstraction or treatment, if strictly necessary to prevent health risks.***



## Amendment 85

### Proposal for a directive Article 8 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

***5a. Member States shall inform water suppliers using the body or parts of bodies of water covered by the hazard assessment of the results of the monitoring carried out under point (d) of paragraph 1 and may, on the basis of those monitoring results, and of the information collected under paragraphs 1 and 2 and gathered under Directive 2000/60/EC:***

***(a) allow water suppliers to decrease the monitoring frequency of certain parameters, or the number of parameters being monitored, without requiring them to carry out a supply risk assessment, provided that the parameters concerned are not core parameters within the meaning of point 1 of Part B of Annex II, and provided that no factor that can be reasonably anticipated is likely to cause deterioration of the quality of the water;***

***(b) where a water supplier is allowed to decrease the monitoring frequency as referred to in point (a), continue to regularly monitor those parameters in the body of water covered by the hazard assessment.***

## Amendment 86

### Proposal for a directive Article 9 – title

*Text proposed by the Commission*

*Amendment*

Supply risk assessment

Supply risk assessment, ***monitoring and management***

## Amendment 87

### Proposal for a directive

#### Article 9 – paragraph 1 – subparagraph 1

##### *Text proposed by the Commission*

Member States shall ensure that water suppliers perform a supply risk assessment providing for the possibility to adjust the monitoring frequency for any parameter listed in Annex I, parts A **and** B that are not core parameters according to part B of Annex II, depending on their occurrence in the raw water.

##### *Amendment*

Member States shall ensure that water suppliers perform a supply risk assessment ***in accordance with Part C of Annex II,*** providing for the possibility to adjust the monitoring frequency for any parameter listed in Annex I, parts A, B **and Ba** that are not core parameters according to part B of Annex II, depending on their occurrence in the raw water.

## Amendment 88

### Proposal for a directive

#### Article 9 – paragraph 1 – subparagraph 2

##### *Text proposed by the Commission*

For those parameters Member States shall ensure that water suppliers can deviate from the sampling frequencies set out in Annex II, part B, in accordance with the specifications set out in ***Annex II***, part C.

##### *Amendment*

For those parameters Member States shall ensure that water suppliers can deviate from the sampling frequencies set out in Annex II, part B, in accordance with the specifications set out in ***Part C of Annex II, and depending on their occurrence in the raw water and the treatment set-up.***

## Amendment 89

### Proposal for a directive

#### Article 9 – paragraph 1 – subparagraph 3

##### *Text proposed by the Commission*

To that end, water suppliers shall ***be required to*** take into account the results of the hazard assessment carried out in accordance with Article 8 of this Directive and of the monitoring carried out pursuant to Article 7(1) and Article 8 of Directive

##### *Amendment*

To that end, water suppliers shall take into account the results of the hazard assessment carried out in accordance with Article 8 of this Directive and of the monitoring carried out pursuant to Article 7(1) and Article 8 of Directive

## Amendment 90

### Proposal for a directive Article 9 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. Member States may exempt very small water suppliers from paragraph 1, provided that the competent authority has prior and up to date documented knowledge of the relevant parameters and deems there to be no risk to human health as a result of such exemptions, and without prejudice to the authority's obligations under Article 4.***

***The exemption shall be reviewed by the competent authority every three years or when any new pollution hazard is detected in the catchment area, and updated where necessary.***

## Amendment 91

### Proposal for a directive Article 9 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Supply risk assessments shall be ***approved by the competent authorities.***

2. Supply risk assessments shall be ***the responsibility of the water suppliers who shall ensure that they comply with this Directive. To this end, water suppliers may request the support of competent authorities.***

***Member States may require competent authorities to approve or monitor water suppliers' supply risk assessments.***

## Amendment 92

### Proposal for a directive Article 9 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. On the basis of the results of the supply risk assessment carried out pursuant to paragraph 1, Member States shall ensure that water suppliers establish a water safety plan tailored to the risks identified and proportionate to the size of the water supplier. By way of example, that water safety plan may concern the use of materials in contact with water, water treatment products, possible risks stemming from leaking pipes, or measures to adapt to present and future challenges, such as climate change, and shall be further specified by the Member States.**

## Amendment 93

### Proposal for a directive Article 10 – title

*Text proposed by the Commission*

*Amendment*

Domestic Distribution Risk Assessment

Domestic distribution risk assessment,  
**monitoring and management**

## Amendment 94

### Proposal for a directive Article 10 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

1. Member States shall ensure that a domestic distribution risk assessment is performed, comprising the following elements:

1. Member States shall ensure that a domestic distribution risk assessment is performed **in priority premises**, comprising the following elements:

## Amendment 95

### Proposal for a directive

#### Article 10 – paragraph 1 – point a

*Text proposed by the Commission*

(a) an assessment of the potential risks associated with the domestic distribution systems, and with the related products and materials, and whether they affect the quality of water at the point where it emerges from the taps normally used for human consumption, ***in particular where water is supplied to the public in priority premises***;

*Amendment*

(a) an assessment of the potential risks associated with the domestic distribution systems, and with the related products and materials and whether they affect the quality of water at the point where it emerges from the taps normally used for human consumption;

## Amendment 96

### Proposal for a directive

#### Article 10 – paragraph 1 – point b – subparagraph 1

*Text proposed by the Commission*

(b) regular monitoring of the parameters listed in Annex I, part C, in premises where ***the potential danger to human health is considered highest. Relevant parameters and premises for monitoring shall be selected on the basis of*** the assessment performed under point (a).

*Amendment*

(b) regular monitoring of the parameters listed in Annex I, part C, in ***priority*** premises where ***specific risks to water quality have been identified during*** the assessment performed under point (a).

## Amendment 97

### Proposal for a directive

#### Article 10 – paragraph 1 – point b – subparagraph 2

*Text proposed by the Commission*

With regard to the regular monitoring referred to in the ***first subparagraph***, Member States may set up a monitoring strategy ***focusing on priority premises***;

*Amendment*

With regard to the regular monitoring, ***Member States shall ensure access to installations in priority premises for the purposes of sampling and*** may set up a monitoring strategy, ***in particular as regards Legionella pneumophila***;

## Amendment 98

### Proposal for a directive Article 10 – paragraph 1 – point c

*Text proposed by the Commission*

(c) a verification of whether the performance of **construction** products in contact with water intended for human consumption is adequate in relation to the **essential characteristics linked to the basic requirement for construction works specified in point 3(e) of Annex I to Regulation (EU) No 305/2011**.

*Amendment*

(c) a verification of whether the performance of products **and materials** in contact with water intended for human consumption is adequate in relation to the **protection of human health**.

## Amendment 99

### Proposal for a directive Article 10 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

(ca) a verification of whether the materials used are suitable for contact with water intended for human consumption and whether the requirements specified in Article 11 are met.

*Amendment*

(ca) a verification of whether the materials used are suitable for contact with water intended for human consumption and whether the requirements specified in Article 11 are met.

## Amendment 100

### Proposal for a directive Article 10 – paragraph 2

*Text proposed by the Commission*

2. Where Member States consider, on the basis of the assessment carried out under paragraph 1(a), that there is a risk to human health stemming from the domestic distribution system or from the related products and materials, or where

*Amendment*

2. Where Member States consider, on the basis of the assessment carried out under paragraph 1(a), that there is a risk to human health stemming from the domestic distribution system **in priority premises** or from the related products and materials, or

monitoring carried out in accordance with paragraph 1(b) demonstrates that the parametric values set out in Annex I, part C, are not met, Member States shall:

*(a) take appropriate measures to eliminate or reduce the risk of non-compliance with the parametric values set out in Annex I, part C;*

*(b) take all necessary measures to ensure that the migration of substances or chemicals from construction products used in the preparation or distribution of water intended for human consumption does not, either directly or indirectly, endanger human health;*

*(c) take other measures, such as appropriate conditioning techniques, in cooperation with water suppliers, to change the nature or properties of the water before it is supplied so as to eliminate or reduce the risk of non-compliance with the parametric values after supply;*

*(d) duly inform and advise consumers about the conditions of consumption and use of the water and about possible action to avoid the risk from reoccurring;*

*(e) organise training for plumbers and other professionals dealing with domestic distribution systems and the installation of construction products;*

*(f) for Legionella, ensure that effective control and management measures in place to prevent and address possible disease outbreaks.*

where monitoring carried out in accordance with paragraph 1(b) demonstrates that the parametric values set out in Annex I, part C, are not met, Member States shall ***ensure that appropriate measures are taken to eliminate or reduce the risk of non-compliance with the parametric values set out in Part C of Annex I.***

## **Amendment 101**

**Proposal for a directive  
Article 10 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. With a view to reducing the risks connected to domestic distribution across all the domestic distribution systems, Member States shall:**

**(a) encourage owners of public and private premises to carry out a domestic distribution risk assessment;**

**(b) inform consumers and owners of public and private premises about measures to eliminate or reduce the risk of non-compliance with the quality standards for water intended for human consumption due to the domestic distribution system;**

**(c) duly inform and advise consumers about the conditions of consumption and use of the water and about possible action to avoid the risk from reoccurring;**

**(d) promote training for plumbers and other professionals dealing with domestic distribution systems and the installation of construction products and materials in contact with water; and**

**(e) for Legionella, in particular Legionella pneumophila, ensure that effective control and management measures which are proportionate to the risk are in place to prevent and address possible outbreaks of the disease.**

## **Amendment 102**

### **Proposal for a directive Article 10 a (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 10a**

**Minimum hygiene requirements for products, substances and materials in contact with water intended for human**



## *consumption*

- 1. Member States shall take all necessary measures to ensure that substances and materials for the manufacture of all new products in contact with water intended for human consumption, placed on the market and used for abstraction, treatment or distribution, or the impurities associated with such substances:**

  - (a) do not directly or indirectly reduce the protection of human health provided for in this Directive;**
  - (b) do not affect the smell or taste of water intended for human consumption;**
  - (c) are not present in water intended for human consumption at a concentration above the level necessary to achieve the purpose for which they are used; and**
  - (d) do not promote microbial growth.**
- 2. For the purposes of ensuring the harmonised application of paragraph 1, by ... [three years after the date of entry into force of this Directive], the Commission shall adopt delegated acts in accordance with Article 19 in order to supplement this Directive by laying down the minimum hygiene requirements and the list of substances that are used for production of materials in contact with water intended for human consumption, and are approved in the Union, including specific migration limits and special conditions of use wherever applicable. The Commission shall regularly review and update this list in line with the latest scientific and technological developments.**
- 3. In order to support the Commission in adopting and amending the delegated acts pursuant to paragraph 2, a standing committee shall be set up consisting of representatives appointed by the Member States who may call on the assistance of experts or advisers.**
- 4. Materials in contact with water intended for human consumption, which**

*are covered by other Union legislation, such as Regulation (EU) No 305/2011 of the European Parliament and of Council<sup>1a</sup>, shall comply with paragraphs 1 and 2 of this Article.*

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*<sup>1a</sup> Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).*

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

**Amendment 103**

**Proposal for a directive  
Article 11 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall take all measures necessary to ensure that regular monitoring of the quality of water intended for human consumption is carried out, in order to check that ***the water available to consumers*** meets the requirements of this Directive and in particular the parametric values set in accordance with Article 5. Samples shall be taken so that they are representative of the quality of the water consumed throughout the year. In addition, Member States shall take all measures necessary to ensure that, where disinfection forms part of the preparation or distribution of water intended for human consumption, the efficiency of the disinfection treatment applied is verified, and that any contamination from disinfection by-products is kept as low as possible without compromising the disinfection.

*Amendment*

1. Member States shall take all measures necessary to ensure that regular monitoring of the quality of water intended for human consumption is carried out, in order to check that ***it*** meets the requirements of this Directive and in particular the parametric values set in accordance with Article 5. Samples shall be taken so that they are representative of the quality of the water consumed throughout the year. In addition, Member States shall take all measures necessary to ensure that, where disinfection forms part of the preparation or distribution of water intended for human consumption, the efficiency of the disinfection treatment applied is verified, and that any contamination from disinfection by-products is kept as low as possible without compromising the disinfection.

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

**Amendment 104**

**Proposal for a directive  
Article 11 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. Member States shall communicate to the Commission the results of the monitoring carried out in accordance with the monitoring of parameters listed in Part Ca of Annex I by ... [three years from the date of entry into force of this Directive], and thereafter once a year.***

***The Commission is empowered to adopt delegated acts in accordance with Article 19 in order to amend this Directive by updating the substances included on the watch list set out in Part Ca of Annex I. The Commission may decide to add substances where there is a risk of such substances being present in water intended for human consumption and posing a potential risk to human health, but in respect of which scientific knowledge has not demonstrated a risk to human health. To that end, the Commission shall make use in particular of the scientific research of the WHO. The addition of any new substance shall be duly justified under Article 1 of this Directive.***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

**Amendment 105**

**Proposal for a directive  
Article 11 – paragraph 5 b (new)**

*Text proposed by the Commission*

*Amendment*

**5b. By ... [one year after the date of entry into force of this Directive], the Commission shall adopt delegated acts in accordance with Article 19 in order to supplement this Directive by adopting a methodology to measure the microplastics listed in the watch list set out in Part Ca of Annex I.**

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## **Amendment 106**

### **Proposal for a directive Article 12 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Member States shall ensure that any failure to meet the parametric values set in accordance with Article 5 is immediately investigated in order to identify the cause.

1. Member States shall ensure that any failure to meet the parametric values set in accordance with Article 5 **at the point of compliance referred to in Article 6** is immediately investigated in order to identify the cause.

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## **Amendment 107**

### **Proposal for a directive Article 12 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

In case of non-compliance with the parametric values set out in Annex I, part C, remedial action shall include the measures set out in **points (a) to (f) of Article 10(2)**.

In case of non-compliance with the parametric values set out in Annex I, part C, remedial action shall include the measures set out in Article 10(2a).

## Amendment 108

### Proposal for a directive Article 12 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

Member States shall **automatically** consider **any** failure to meet the minimum requirements for parametric values set out in Annex I, parts A and B, as a potential danger to human health.

*Amendment*

Member States shall consider **a** failure to meet the minimum requirements for parametric values set out in Annex I, parts A and B, as a potential danger to human health, **except where the competent authorities consider the non-compliance with the parametric value to be trivial.**

## Amendment 109

### Proposal for a directive Article 12 – paragraph 4 – introductory part

*Text proposed by the Commission*

4. In the cases described in paragraphs 2 and 3, Member States shall as soon as possible take all of the following measures:

*Amendment*

4. In the cases described in paragraphs 2 and 3, **where the non-compliance with the parametric values is considered to be a potential danger to human health,** Member States shall as soon as possible take all of the following measures:

## Amendment 110

### Proposal for a directive Article 12 – paragraph 4 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**The measures referred to in points (a), (b) and (c) shall be taken in cooperation with the water supplier concerned.**

## Amendment 111

### Proposal for a directive Article 12 – paragraph 5

*Text proposed by the Commission*

5. The competent authorities or other relevant bodies shall decide what action under paragraph 3 shall be taken, bearing in mind the risks to human health which would be caused by an interruption of the supply or a restriction in the use of water intended for human consumption.

*Amendment*

5. ***Where non-compliance is established at the point of compliance***, the competent authorities or other relevant bodies shall decide what action under paragraph 3 shall be taken, bearing in mind the risks to human health which would be caused by an interruption of the supply or a restriction in the use of water intended for human consumption.

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## Amendment 112

### Proposal for a directive Article 12 a (new)

*Text proposed by the Commission*

*Amendment*

***Article 12a***

***Derogations***

1. ***Member States may provide for derogations from the parametric values set out in Part B of Annex I, or set in accordance with Article 5(2), up to a maximum value to be determined by them, provided that such derogations do not constitute a potential danger to human health and provided that the supply of water intended for human consumption in the area concerned cannot otherwise be maintained by any other reasonable means. Such derogations shall be limited to the following cases:***

- (a) a new water supply zone;***
- (b) a new source of pollution detected in***

*a water supply zone or parameters newly searched or detected.*

*Derogations shall be limited to as short a time as possible and shall not exceed three years in duration, towards the end of which period Member States shall conduct a review to determine whether sufficient progress has been made.*

*In exceptional circumstances, a Member State may grant a second derogation in respect of points (a) and (b) of the first subparagraph. Where a Member State intends to grant such a second derogation, it shall communicate the review, along with the grounds for its decision on the second derogation, to the Commission. Such second derogation shall not exceed three years in duration.*

*2. Any derogation granted in accordance with paragraph 1 shall specify the following:*

- (a) the grounds for the derogation;*
- (b) the parameter concerned, previous relevant monitoring results, and the maximum permissible value under the derogation;*
- (c) the geographical area, the quantity of water supplied each day, the population concerned and whether or not any relevant food-production undertaking would be affected;*
- (d) an appropriate monitoring scheme, with an increased monitoring frequency where necessary;*
- (e) a summary of the plan for the necessary remedial action, including a timetable for the work and an estimate of the cost and provisions for reviewing; and*
- (f) the required duration of the derogation.*

*3. If the competent authorities consider the non-compliance with the parametric value to be trivial, and if action taken in accordance with Article 12(2) is sufficient to remedy the problem*

*within 30 days, the information provided for in paragraph 2 of this Article need not be specified in the derogation.*

*In that event, only the maximum permissible value for the parameter concerned and the time allowed to remedy the problem shall be set by the competent authorities or other relevant bodies in the derogation.*

*4. Recourse may no longer be had to paragraph 3, if failure to comply with any one parametric value for a given water supply has occurred on more than 30 days on aggregate during the previous 12 months.*

*5. Any Member State which has had recourse to the derogations provided for in this Article shall ensure that the population affected by any such derogation is promptly informed in an appropriate manner of the derogation and of the conditions governing it. In addition, the Member State shall, where necessary, ensure that advice is given to particular population groups for which the derogation could present a special risk.*

*The obligations referred to in the first subparagraph shall not apply in the circumstances described in paragraph 3 unless the competent authorities decide otherwise.*

*6. With the exception of derogations granted in accordance with paragraph 3, a Member State shall inform the Commission within two months of any derogation concerning an individual supply of water exceeding 1 000 m<sup>3</sup> a day as an average or serving more than 5 000 people, including the information specified in paragraph 2.*

*7. This Article shall not apply to water intended for human consumption offered for sale in bottles or containers.*



## Amendment 113

### Proposal for a directive Article 13 – paragraph 1

#### *Text proposed by the Commission*

1. Without prejudice to Article 9 of Directive 2000/60/EC, Member States shall take all necessary measures to improve access for all to water intended for human consumption and promote its use on their territory. ***This shall include all of the following measures:***

(a) ***identifying*** people without access to water intended for human consumption and reasons for lack of access (***such as belonging to a vulnerable and marginalised group***), assessing possibilities to improve access for those people and informing them about possibilities of connecting to the distribution network or about alternative means to have access to such water;

(b) setting up and maintaining ***outdoors and indoors*** equipment for free access to water intended for human consumption in public spaces;

(c) promoting water intended for human consumption by:

(i) launching campaigns to inform citizens about the quality of ***such*** water;

#### *Amendment*

1. Without prejudice to Article 9 of Directive 2000/60/EC ***and to the principles of subsidiarity and proportionality***, Member States shall, ***whilst taking into account the local and regional perspectives and circumstances for water distribution***, take all necessary measures to improve ***universal*** access for all to water intended for human consumption and promote its use on their territory.

***To this end, Member States shall identify*** people without access, ***or with limited access***, to water intended for human consumption, ***including vulnerable and marginalised groups***, and reasons for lack of access, assessing possibilities to improve access for those people and informing them ***clearly*** about possibilities of connecting to the distribution network or about alternative means to have access to such water.

***Member States shall also take measures, such as:***

(a) setting up and maintaining ***outdoor or indoor*** equipment, ***including refill points***, for free access to water intended for human consumption in public spaces, ***where doing so proves technically feasible and proportionate in relation to the need for such measures. Such measures shall also take account of specific local conditions, such as climate and geography;***

(c) promoting water intended for human consumption by:

(i) launching campaigns to inform citizens about the ***high*** quality of ***tap*** water;

(ia) ***launching campaigns to encourage***

(ii) encouraging the provision of such water in administrations and public buildings;

(iii) encouraging the *free* provision of such water in restaurants, canteens, and catering services.

*the general public to carry reusable water bottles and launching initiatives to raise awareness of the location of refill points;*

(ii) encouraging the provision of such water in administrations and public buildings;

(iii) encouraging the provision of such water *for free or for a low service fee, for customers* in restaurants, canteens, and catering services.

#### **Amendment 114**

##### **Proposal for a directive**

##### **Article 13 – paragraph 2 – subparagraph 1**

###### *Text proposed by the Commission*

On the basis of the information gathered under paragraph 1(a), Member States shall take *all necessary* measures to ensure access to water intended for human consumption for vulnerable and marginalised groups.

###### *Amendment*

On the basis of the information gathered under paragraph 1(a), Member States shall take measures *that they consider necessary and appropriate* to ensure access to water intended for human consumption for vulnerable and marginalised groups.

#### **Amendment 115**

##### **Proposal for a directive**

##### **Article 13 – paragraph 2 a (new)**

###### *Text proposed by the Commission*

###### *Amendment*

*2a. Where obligations under this Article are incumbent on local public authorities under national law, Member States shall ensure that such authorities have the means and resources to ensure access to water intended for human consumption and that any measures in that regard are proportionate to:*

*(i) the resources of the distribution network concerned;*

*(ii) the size of the network; and*

(iii) *the expected benefits.*

## Amendment 116

### Proposal for a directive Article 14 – paragraph 1

*Text proposed by the Commission*

1. Member States shall ensure that adequate **and** up-to-date information on water intended for human consumption is available online to all persons supplied, in accordance with Annex IV.

*Amendment*

1. Member States shall ensure that adequate, up-to-date **and accessible** information on water intended for human consumption is available, online **or in other user-friendly ways**, to all persons supplied, in accordance with Annex IV, **while complying with applicable data protection rules.**

## Amendment 117

### Proposal for a directive Article 14 – paragraph 2 – subparagraph 1 – introductory part

*Text proposed by the Commission*

Member States shall ensure that all persons supplied receive regularly and at least once a year, and in the most appropriate form (for instance on their invoice or by smart applications) **without having to request it**, the following information:

*Amendment*

Member States shall ensure that all persons supplied receive regularly and at least once a year, and in the most appropriate **and easily accessible** form (for instance on their invoice or by smart applications) **as determined by the competent authorities**, the following information:

## Amendment 118

### Proposal for a directive Article 14 – paragraph 2 – subparagraph 1 – point a – introductory part

*Text proposed by the Commission*

(a) information on **the cost structure of** the tariff charged per cubic metre of water intended for human consumption,

*Amendment*

(a) **where costs are recovered through a tariff system**, information on the tariff charged per cubic metre of water intended

including fixed and variable costs,  
*presenting at least costs related to the  
following elements:*

for human consumption, including *the  
distribution of* fixed and variable costs;

#### **Amendment 119**

##### **Proposal for a directive**

##### **Article 14 – paragraph 2 – subparagraph 1 – point a – point i**

*Text proposed by the Commission*

*Amendment*

*(i) measures taken by water suppliers  
for the purposes of the hazard assessment  
pursuant to Article 8(5);*                      *deleted*

#### **Amendment 120**

##### **Proposal for a directive**

##### **Article 14 – paragraph 2 – subparagraph 1 – point a – point ii**

*Text proposed by the Commission*

*Amendment*

*(ii) treatment and distribution of water  
intended for human consumption;*                      *deleted*

#### **Amendment 121**

##### **Proposal for a directive**

##### **Article 14 – paragraph 2 – subparagraph 1 – point a – point iii**

*Text proposed by the Commission*

*Amendment*

*(iii) waste water collection and  
treatment;*                      *deleted*

#### **Amendment 122**

##### **Proposal for a directive**

##### **Article 14 – paragraph 2 – subparagraph 1 – point a – point iv**

*Text proposed by the Commission*

*Amendment*

**(iv) measures taken pursuant to Article 13, in case such measures have been taken by water suppliers;** **deleted**

#### **Amendment 123**

**Proposal for a directive**

**Article 14 – paragraph 2 – subparagraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

**(aa) information on the quality of water intended for human consumption, including the indicator parameters;**

#### **Amendment 124**

**Proposal for a directive**

**Article 14 – paragraph 2 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) the price of water intended for human consumption *supplied* per *litre and* cubic metre;**

**(b) *where the costs are recovered through a tariff system*, the price of *the supply of* water intended for human consumption per cubic metre, *and the price invoiced per litre*; *where the costs are not recovered through a tariff system, the total annual costs borne by the water system to ensure compliance with this Directive, accompanied by contextual and relevant information on how water intended for human consumption is supplied to the area*;**

#### **Amendment 125**

**Proposal for a directive**

**Article 14 – paragraph 2 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) the treatment and distribution of water intended for human consumption;***

## **Amendment 126**

### **Proposal for a directive**

#### **Article 14 – paragraph 2 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) the volume consumed by the household, at least per year or per billing period, together with yearly trends of consumption;

(c) the volume consumed by the household, at least per year or per billing period, together with yearly trends of ***household*** consumption, ***if technically feasible and only if this information is available to the water supplier;***

## **Amendment 127**

### **Proposal for a directive**

#### **Article 14 – paragraph 2 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) comparisons of the yearly water consumption of the household with an average consumption for a household ***in the same category;***

(d) comparisons of the yearly water consumption of the household with an average consumption for a household, ***when applicable in accordance with point (c);***

## **Amendment 128**

### **Proposal for a directive**

#### **Article 14 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The Commission ***may*** adopt ***implementing*** acts specifying the format of, and modalities to present, the information to be

***Member States shall set out a clear division of responsibilities with regard to the provision of information under the***

provided under the first subparagraph.  
***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 20(2).***

***first subparagraph between water suppliers, stakeholders and competent local bodies.*** The Commission ***is empowered to adopt delegated acts in accordance with Article 19 supplementing this Directive by*** specifying the format of, and modalities to present, the information to be provided under the first subparagraph.

## **Amendment 129**

### **Proposal for a directive**

#### **Article 15 – paragraph 1 – subparagraph 1 – point d**

*Text proposed by the Commission*

(d) set up, and update annually thereafter, a data set containing information on drinking water incidents that have caused potential ***danger*** to human health, regardless of whether any failure to meet the parametric values occurred, that lasted for more than 10 consecutive days and that affected at least 1 000 people, including the causes of those incidents and remedial actions taken in accordance with Article 12.

*Amendment*

(d) set up, and update annually thereafter, a data set containing information on drinking water incidents that have caused potential ***risk*** to human health, regardless of whether any failure to meet the parametric values occurred, that lasted for more than 10 consecutive days and that affected at least 1 000 people, including the causes of those incidents and remedial actions taken in accordance with Article 12.

## **Amendment 130**

### **Proposal for a directive**

#### **Article 15 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

4. The Commission ***may*** adopt ***implementing*** acts specifying the format of, and modalities to present, the information to be provided in accordance with paragraphs 1 and 3, including detailed requirements regarding the indicators, the Union-wide overview maps and the Member State overview reports referred to in paragraph 3.

*Amendment*

4. The Commission ***is empowered to*** adopt ***delegated*** acts ***in accordance with Article 19 supplementing this Directive by*** specifying the format of, and modalities to present, the information to be provided in accordance with paragraphs 1 and 3, including detailed requirements regarding the indicators, the Union-wide overview maps and the Member State overview reports referred to in paragraph 3.

## Amendment 131

### Proposal for a directive Article 15 – paragraph 4 – subparagraph 2

*Text proposed by the Commission*

*The implementing acts referred to in the first subparagraph shall be adopted in accordance with the examination procedure referred to in Article 20(2).*

*Amendment*

**deleted**

## Amendment 132

### Proposal for a directive Article 17 – paragraph 2 – point b

*Text proposed by the Commission*

(b) provisions related to access to water set out in Article 13;

*Amendment*

(b) provisions related to access to water set out in Article 13 **and the share of the population without access to water;**

## Amendment 133

### Proposal for a directive Article 17 – paragraph 2 – point c

*Text proposed by the Commission*

(c) provisions concerning the information to be provided to the public under Article 14 and Annex IV.

*Amendment*

(c) provisions concerning the information to be provided to the public under Article 14 and Annex IV, **including a user friendly overview at Union level of the information listed in point 7 of Annex IV.**

## Amendment 134

### Proposal for a directive Article 17 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*



**2a. The Commission shall, no later than ... [five years after the final deadline for transposition of this Directive] — and afterwards where appropriate — submit a report to the European Parliament and to the Council on the potential threat to sources of water intended for human consumption from microplastics, medicines and, if necessary, other newly occurring pollutants and on the appropriate associated potential health risks. The Commission is empowered to adopt, if necessary, delegated acts in accordance with Article 19 in order to supplement this Directive by establishing maximum levels for microplastics, medicinal products and other newly occurring pollutants in water intended for human consumption.**

*Justification*

*It is important to monitor newly occurring substances in drinking water and to be able to introduce parameter values where a health risk is identified. An EU-wide standard approach to setting or deriving maximum levels is necessary to ensure the same level of protection throughout the EU.*

**Amendment 135**

**Proposal for a directive  
Article 18 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. By ... [five years after the date of entry into force of this Directive], the Commission shall review whether Article 10a has led to a sufficient level of harmonisation of hygienic requirements on materials and products in contact with water intended for human consumption and, if necessary, take further appropriate measures.**

**Amendment 136**

**Proposal for a directive  
Article 23 – paragraph 2**

*Text proposed by the Commission*

2. Derogations granted by Member States in accordance with Article 9 of Directive 98/83/EC that are still applicable by [end-date for transposition of this Directive] shall remain applicable until the end of their duration. ***They may not be renewed further.***

*Amendment*

2. Derogations granted by Member States in accordance with Article 9 of Directive 98/83/EC that are still applicable by [end-date for transposition of this Directive] shall remain applicable until the end of their duration.

**Amendment 137**

**Proposal for a directive  
Annex I – part A – table**

*Text proposed by the Commission*

Parameter	Parametric value	Unit
Clostridium perfringens spores	0	Number/100 ml
<b><i>Coliform bacteria</i></b>	<b><i>0</i></b>	<b><i>Number/100 ml</i></b>
Enterococci	0	Number/100 ml
Escherichia coli (E. coli)	0	Number/100 ml
<b><i>Heterotrophic plate counts (HPC) 22°C</i></b>	<b><i>No abnormal change</i></b>	
Somatic coliphages	0	Number/100 ml
<b><i>Turbidity</i></b>	<b><i>&lt; 1</i></b>	<b><i>NTU</i></b>

*Amendment*

Parameter	Parametric value	Parameter
Clostridium perfringens spores	0	Number/100 ml
Enterococci	0	Number/100 ml
Escherichia coli (E. coli)	0	Number/100 ml
Somatic coliphages	0	Number/100 ml

*Note*

*In the case of water intended for human consumption put into bottles or containers, the parameters listed in this Part shall not be tested, except in the case of water intended for human consumption put into bottles or containers from the tap.*

**Amendment 138**

**Proposal for a directive  
Annex I – part B – table**

*Text proposed by the Commission*

Chemical parameters			
Parameter	Parametric value	Unit	Notes
Acrylamide	0,10	µg/l	The parametric value refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water.
Antimony	5,0	µg/l	
Arsenic	10	µg/l	
Benzene	1,0	µg/l	
Benzo(a)pyrene	0,010	µg/l	
Beta-estradiol (50-28-2)	0,001	µg/l	
Bisphenol A	<b>0,01</b>	µg/l	
Boron	1,0	mg/l	
Bromate	10	µg/l	
Cadmium	5,0	µg/l	
Chlorate	0,25	mg/l	
Chlorite	0,25	mg/l	

Chromium	25	µg/l	The value shall be met, at the latest, by [10 years after the entry into force of this Directive]. The parametric value for chromium until that date is 50 µg/l.
Copper	2,0	mg/l	
Cyanide	50	µg/l	
1,2-dichloroethane	3,0	µg/l	
Epichlorohydrin	0,10	µg/l	The parametric value refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water.
Fluoride	1,5	mg/l	
Haloacetic acids (HAAs)	80	µg/l	Sum of the following nine representative substances: monochloro-, dichloro-, and trichloro-acetic acid, mono- and dibromo-acetic acid, bromochloroacetic acid, bromodichloroacetic acid, dibromochloroacetic acid and tribromoacetic acid.

Lead	5	µg/l	acid. The value shall be met, at the latest, by [10 years after the entry into force of this Directive]. The parametric value for lead until that date is 10 µg/l.
Mercury	1,0	µg/l	
Microcystin-LR	10	µg/l	
Nickel	20	µg/l	
Nitrate	50	mg/l	Member States shall ensure that the condition $[\text{nitrate}]/50 + [\text{nitrite}]/3 \leq 1$ , where the square brackets signify the concentrations in mg/l for nitrate (NO <sub>3</sub> ) and nitrite (NO <sub>2</sub> ), is complied with and that the value of 0,10 mg/l for nitrites is complied with ex water treatment works.
Nitrite	0.50	mg/l	Member States shall ensure that the condition $[\text{nitrate}]/50 + [\text{nitrite}]/3 \leq 1$ , where the square brackets signify the concentrations in mg/l for nitrate (NO <sub>3</sub> ) and nitrite (NO <sub>2</sub> ), is complied with and that the value of 0,10 mg/l for nitrites is complied with ex

			water treatment works.
Nonylphenol	0,3	µg/l	
Pesticides	0,10	µg/l	<p>‘Pesticides’ means:</p> <p>organic insecticides,</p> <p>organic herbicides,</p> <p>organic fungicides,</p> <p>organic nematocides,</p> <p>organic acaricides,</p> <p>organic algicides,</p> <p>organic rodenticides</p> <p>organic slimicides,</p> <p>related products (inter alia, growth regulators) and their relevant metabolites as defined in Article 3(32) of Regulation (EC) No 1107/2009<sup>1</sup>.</p> <p>The parametric value applies to each individual pesticide.</p> <p>In the case of aldrin, dieldrin, heptachlor and heptachlor epoxide, the parametric value is 0,030 µg/l.</p>
Pesticides — Total	0,50	µg/l	‘Pesticides — Total’ means the sum of all

			individual pesticides, as defined in the previous row, detected and quantified in the monitoring procedure.
PFAS	0,10	µg/l	'PFAS' means each individual per- and polyfluoroalkyl substance (chemical formula: $C_nF_{2n+1}-R$ ).
PFASs - Total	<b>0,50</b>	µg/l	'PFASs Total' means the sum of per- and polyfluoroalkyl substances (chemical formula: $C_nF_{2n+1}-R$ ).
Polycyclic aromatic hydrocarbons	0,10	µg/l	Sum of concentrations of the following specified compounds: benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, and indeno(1,2,3-cd)pyrene.
Selenium	10	µg/l	
Tetrachloroethene and trichloroethene	10	µg/l	Sum of concentrations of specified parameters
Trihalomethanes — Total	100	µg/l	Where possible, without compromising disinfection, Member States

			shall strive for a lower value.
			Sum of concentrations of the following specified compounds: chloroform, bromoform, dibromochloromethane, bromodichloromethane.
Uranium	30	µg/l	
Vinyl chloride	0,50	µg/l	The parametric value refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water.

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<sup>1</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309 24.11.2009, p. 1).

*Amendment*

Chemical parameters			
Parameter	Parametric value	Unit	Notes
Acrylamide	0,10	µg/l	The parametric value refers to the residual monomer concentration in the water as calculated according to specifications of the maximum



			release from the corresponding polymer in contact with the water.
Antimony	5,0	µg/l	
Arsenic	10	µg/l	
Benzene	1,0	µg/l	
Benzo(a)pyrene	0,010	µg/l	
Beta-estradiol (50-28-2)	0,001	µg/l	
Bisphenol A	<b>0,1</b>	µg/l	
Boron	1,0	mg/l	
Bromate	10	µg/l	
Cadmium	5,0	µg/l	
Chlorate	0,25	mg/l	
Chlorite	0,25	mg/l	
Chromium	25	µg/l	The value shall be met, at the latest, by [10 years after the entry into force of this Directive]. The parametric value for chromium until that date is 50 µg/l.
Copper	2,0	mg/l	
Cyanide	50	µg/l	
1,2-dichloroethane	3,0	µg/l	
Epichlorohydrin	0,10	µg/l	The parametric value refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding

				polymer in contact with the water.
Fluoride	1,5		mg/l	
Haloacetic acids (HAAs)	80		µg/l	Sum of the following nine representative substances: monochloro-, dichloro-, and trichloro-acetic acid, mono- and dibromo-acetic acid, bromochloroacetic acid, bromodichloroacetic acid, dibromochloroacetic acid and tribromoacetic acid.
Lead	5		µg/l	The value shall be met, at the latest, by [10 years after the entry into force of this Directive]. The parametric value for lead until that date is 10 µg/l.
Mercury	1,0		µg/l	
Microcystin-LR	10		µg/l	
Nickel	20		µg/l	
Nitrate	50		mg/l	Member States shall ensure that the condition $\frac{[\text{nitrate}]}{50} + \frac{[\text{nitrite}]}{3} \leq 1$ , where the square brackets signify the concentrations in mg/l for nitrate (NO <sub>3</sub> ) and nitrite (NO <sub>2</sub> ), is complied with

			and that the value of 0,10 mg/l for nitrites is complied with ex water treatment works.
Nitrite	0.50	mg/l	Member States shall ensure that the condition $\frac{[\text{nitrate}]}{50} + \frac{[\text{nitrite}]}{3} \leq 1$ , where the square brackets signify the concentrations in mg/l for nitrate (NO <sub>3</sub> ) and nitrite (NO <sub>2</sub> ), is complied with and that the value of 0,10 mg/l for nitrites is complied with ex water treatment works.
Nonylphenol	0,3	µg/l	
Pesticides	0,10	µg/l	‘Pesticides’ means: organic insecticides, organic herbicides, organic fungicides, organic nematocides, organic acaricides, organic algicides, organic rodenticides organic slimicides, related products (inter alia, growth

			regulators) and their relevant metabolites as defined in Article 3(32) of Regulation (EC) No 1107/2009 <sup>1</sup> . The parametric value applies to each individual pesticide. In the case of aldrin, dieldrin, heptachlor and heptachlor epoxide, the parametric value is 0,030 µg/l.
Pesticides — Total	0,50	µg/l	‘Pesticides — Total’ means the sum of all individual pesticides, as defined in the previous row, detected and quantified in the monitoring procedure.
PFAS	0,10	µg/l	'PFAS' means each individual per- and polyfluoroalkyl substance (chemical formula: C <sub>n</sub> F <sub>2n+1</sub> -R).
PFASs - Total	<b>0,30</b>	µg/l	'PFASs Total' means the sum of per- and polyfluoroalkyl substances (chemical formula: C <sub>n</sub> F <sub>2n+1</sub> -R).
Polycyclic aromatic	0,10	µg/l	Sum of concentrations of

hydrocarbons			the following specified compounds: benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, and indeno(1,2,3-cd)pyrene.
Selenium	10	µg/l	
Tetrachloroethene and trichloroethene	10	µg/l	Sum of concentrations of specified parameters
Trihalomethanes — Total	100	µg/l	Where possible, without compromising disinfection, Member States shall strive for a lower value.  Sum of concentrations of the following specified compounds: chloroform, bromoform, dibromochloromethane, bromodichloromethane.
Uranium	30	µg/l	
Vinyl chloride	0,50	µg/l	The parametric value refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in

contact with the water.

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<sup>1</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309 24.11.2009, p. 1).

*Justification*

*The changed value for BPA in this amendment seeks to correct a typing mistake made by the Commission in transposing the WHO recommendations.*

**Amendment 139**

**Proposal for a directive  
Annex I – Part B a (new)**

*Text proposed by the Commission*

*Amendment*

***Indicator parameters***

<b><i>Parameter</i></b>	<b><i>Parametric value</i></b>	<b><i>Unit</i></b>	<b><i>Notes</i></b>
<b><i>Aluminium</i></b>	<b><i>200</i></b>	<b><i>µg/l</i></b>	
<b><i>Ammonium</i></b>	<b><i>0,50</i></b>	<b><i>mg/l</i></b>	
<b><i>Chloride</i></b>	<b><i>250</i></b>	<b><i>mg/l</i></b>	<b><i>Note 1</i></b>
<b><i>Colour</i></b>	<b><i>Acceptable to consumers and no abnormal change</i></b>		
<b><i>Conductivity</i></b>	<b><i>2 500</i></b>	<b><i>µS cm-1 at 20°C</i></b>	<b><i>Note 1</i></b>
<b><i>Hydrogen ion concentration</i></b>	<b><i>≥ 6,5 and ≤ 9,5</i></b>	<b><i>pH units</i></b>	<b><i>Notes 1 and 3</i></b>
<b><i>Iron</i></b>	<b><i>200</i></b>	<b><i>µg/l</i></b>	
<b><i>Manganese</i></b>	<b><i>50</i></b>	<b><i>µg/l</i></b>	
<b><i>Odour</i></b>	<b><i>Acceptable to consumers and no abnormal change</i></b>		

<i>Sulphates</i>	<i>250</i>	<i>mg/l</i>	<i>Note 1</i>
<i>Sodium</i>	<i>200</i>	<i>mg/l</i>	
<i>Taste</i>	<i>Acceptable to consumers and no abnormal change</i>		
<i>Colony count at 22°C</i>	<i>No abnormal change</i>		
<i>Coliform bacteria</i>	<i>0</i>	<i>Number/100 ml</i>	
<i>Total organic carbon (TOC)</i>	<i>No abnormal change</i>		
<i>Turbidity</i>	<i>Acceptable to consumers and no abnormal change</i>		

**Note 1:**

*The water should not be aggressive.*

**Note 2:**

*This parameter need not be measured unless the water originates from or is influenced by surface water. In the event of non-compliance with this parametric value, the Member State concerned shall investigate the supply to ensure that there is no potential danger to human health arising from the presence of pathogenic micro-organisms, e.g. cryptosporidium.*

**Note 3:**

*For still water put into bottles or containers, the minimum value may be reduced to 4,5 pH units.*

*For water put into bottles or containers which is naturally rich in or artificially enriched with carbon dioxide, the minimum value may be lower.*

**Amendment 140**

**Proposal for a directive  
Annex I – Part C**

*Text proposed by the Commission*

Parameters relevant for the domestic distribution risk assessment

Parameter	Parametric value	Unit	Notes
Legionella	< 1 000	Number/l	<i>If the parametric value &lt;1 000/l is not met for Legionella,</i>

*resampling for Legionella pneumophila shall be done. If Legionella pneumophila is not present, the parametric value for Legionella is <10 000/l.*

Lead	5	µg/l	The value shall be met, at the latest, by ... [ten years after the date of entry into force of this Directive]. The parametric value for lead until that date <i>is</i> 10 µg/l.
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*Amendment*

Parameters relevant for the domestic distribution risk assessment

Parameter	Parametric value	Unit	Notes
Legionella pneumophila	< 1 000	Number/l	
<b>Legionella</b>	<b>&lt; 10 000</b>	<b>Number/l</b>	<b>If Legionella pneumophila, whose parametric value is &lt; 1 000/l, is not present, the parametric value for Legionella shall be &lt;10 000/l.</b>
Lead	5	µg/l	The value shall be met, at the latest, by ... [ten years after the date of entry into force of this Directive]. The parametric value for lead until that date <b>shall be</b> 10 µg/l.



## Amendment 141

### Proposal for a directive Annex I – Part C a (new)

*Text proposed by the Commission*

*Amendment*

#### ***Emerging parameters under monitoring***

***Microplastics***

***The monitoring shall be carried out in accordance with the methodology for measuring microplastics laid down in the delegated act referred to in Article 11(5b)***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## Amendment 142

### Proposal for a directive Annex II – part B – point 1 – paragraph 1

*Text proposed by the Commission*

Escherichia coli (E. coli), ***Clostridium perfringens spores***, and ***somatic coliphages*** are considered 'core parameters' and may not be subject to a supply risk assessment in accordance with part C of this Annex. They shall always be monitored at the frequencies set out in Table 1 of point 2.

*Amendment*

Escherichia coli (E. coli) and ***enterococci*** are considered 'core parameters' and may not be subject to a supply risk assessment in accordance with part C of this Annex. They shall always be monitored at the frequencies set out in Table 1 of point 2.

## Amendment 143

### Proposal for a directive Annex II – part B – point 2 – table 1

*Text proposed by the Commission*

Table 1

Minimum frequency of sampling and analysis for compliance monitoring

Volume (m <sup>3</sup> ) of water distributed or produced each day within a supply zone	Minimum number of samples per year
≤ 100	<b>10a</b>
> 100 ≤ 1 000	<b>10a</b>
> 1 000 ≤ 10 000	<b>50b</b>
> 10 000 ≤ 100 000	<b>365</b>
> 100 000	365

*Amendment*

Table 1

Minimum frequency of sampling and analysis for compliance monitoring

Volume (m <sup>3</sup> ) of water distributed or produced each day within a supply zone	Minimum number of samples per year – <i>core parameters</i>	<i>Minimum number of samples per year – non-core parameters</i>
≤ 100	<b>6</b>	<b>2</b>
> 100 ≤ 1 000	<b>12</b>	<b>3</b>
> 1000 ≤ 5000	<b>24</b>	<b>4</b>
> 5000 ≤ 10 000	<b>52</b>	<b>5</b>
> 10 000 ≤ 50 000	<b>104</b>	<b>6</b>
> 50 000 ≤ 100 000	<b>208</b>	<b>6</b>
		<b>+ 1</b>
		<i>for each 25 000 m<sup>3</sup>/d and part thereof of the total volume</i>
> 100 000	365	<b>12</b>
		<b>+1</b>
		<i>for each 25 000 m<sup>3</sup>/d and part thereof of the total volume</i>

**Amendment 144**

**Proposal for a directive**  
**Annex II – part D – point 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. samples for Legionella in domestic distribution systems shall be taken at risk points for proliferation of and/or exposure to Legionella pneumophila. Member States shall establish guidelines for sampling methods for Legionella;***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

## **Amendment 145**

### **Proposal for a directive Annex II a (new)**

*Text proposed by the Commission*

*Amendment*

***Minimum hygiene requirements for substances and materials for the manufacture of new products coming into contact with water intended for human consumption:***

***(a) a list of substances approved for use in the manufacture of materials, including, but not limited to, organic materials, elastomers, silicones, metals, cement, ion exchange resins and composite materials, and products made therefrom.***

***(b) specific requirements for the use of substances in materials and products made therefrom.***

***(c) specific restrictions on the migration of certain substances into water intended for human consumption.***

***(d) hygiene rules regarding other properties required for compliance.***

***(e) basic rules to verify compliance with points (a) to (d).***

***(f) rules concerning sampling and analysis methods to verify compliance with points (a) to (d).***

*Justification*

*Necessary for pressing reasons relating to the internal logic of the text and for more clarity.*

**Amendment 146**

**Proposal for a directive  
Annex IV – title**

*Text proposed by the Commission*

*Amendment*

INFORMATION TO THE PUBLIC **TO  
BE PROVIDED ONLINE**

INFORMATION TO THE PUBLIC

**Amendment 147**

**Proposal for a directive  
Annex IV – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The following information shall be accessible to consumers on-line in **a** user-friendly and customized **way**:

The following information shall be accessible to consumers on-line **or** in **equally** user-friendly and customized **ways**:

**Amendment 148**

**Proposal for a directive  
Annex IV – paragraph 1 – point 1**

*Text proposed by the Commission*

*Amendment*

(1) identification of the relevant water supplier;

(1) identification of the relevant water supplier, **the area and number of people supplied, and the method of water production**;

**Amendment 149**

**Proposal for a directive  
Annex IV – paragraph 1 – point 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

(2) the most recent monitoring results for parameters listed in Annex I, parts A **and**

(2) **a review of** the most recent monitoring results **per water supplier**, for

B, including frequency *and location of sampling points*, relevant to the area of interest to the person supplied, together with the parametric value set in accordance with Article 5. The monitoring results must not be older than:

parameters listed in Annex I, parts A, B *and Ba*, including frequency relevant to the area of interest to the person supplied, together with and the parametric value set in accordance with Article 5. The monitoring results must not be older than:

#### Amendment 150

##### Proposal for a directive Annex IV – paragraph 1 – point 3

*Text proposed by the Commission*

(3) in case of exceedance of the parametric values set in accordance with Article 5, information on the potential danger to human health and the associated health and consumption advice or a hyperlink providing access to such information;

*Amendment*

(3) in case of *potential danger to human health as determined by competent authorities following an* exceedance of the parametric values set in accordance with Article 5, information on the potential danger to human health and the associated health and consumption advice or a hyperlink providing access to such information;

#### Amendment 151

##### Proposal for a directive Annex IV – paragraph 1 – point 4

*Text proposed by the Commission*

(4) *a summary of the relevant supply risk assessment;*

*Amendment*

*deleted*

#### Amendment 152

##### Proposal for a directive Annex IV – paragraph 1 – point 5

*Text proposed by the Commission*

(5) information on the *following* indicator parameters and associated parametric values:

(a) *Colour;*

*Amendment*

(5) information on the indicator parameters *listed in part Ba of Annex 1* and associated parametric values;

- (b) pH (Hydrogen ion concentration);**
- (c) Conductivity;**
- (d) Iron;**
- (e) Manganese;**
- (f) Odour;**
- (g) Taste;**
- (h) Hardness;**
- (i) Minerals, anions/cations dissolved in water:**

- **Borate  $BO_3^-$**
- **Carbonate  $CO_3^{2-}$**
- **Chloride  $Cl^-$**
- **Fluoride  $F^-$**
- **Hydrogen Carbonate  $HCO_3^-$**
- **Nitrate  $NO_3^-$**
- **Nitrite  $NO_2^-$**
- **Phosphate  $PO_4^{3-}$**
- **Silicate  $SiO_2$**
- **Sulphate  $SO_4^{2-}$**
- **Sulphide  $S_2^-$**
- **Aluminium  $Al$**
- **Ammonium  $NH_4^+$**
- **Calcium  $Ca$**
- **Magnesium  $Mg$**
- **Potassium  $K$**
- **Sodium  $Na$**

***Those parametric values and other non-ionised compounds and trace elements may be displayed with a reference value and/or an explanation;***

## Amendment 153

### Proposal for a directive Annex IV – paragraph 1 – point 6

*Text proposed by the Commission*

(6) advice to consumers including on how to reduce water consumption;

*Amendment*

(6) advice to consumers including on how to reduce water consumption ***where appropriate and use water responsibly according to local conditions***;

## Amendment 154

### Proposal for a directive Annex IV – paragraph 1 – point 7

*Text proposed by the Commission*

(7) for very large water suppliers, annual information on:

*Amendment*

(7) for ***large and*** very large water suppliers, annual information on:

## Amendment 155

### Proposal for a directive Annex IV – paragraph 1 – point 7 – point a

*Text proposed by the Commission*

(a) the overall performance of the water system in terms of efficiency, including leakage ***rates and energy consumption per cubic meter of delivered water***;

*Amendment*

(a) the overall performance of the water system in terms of efficiency, including leakage ***levels as determined by the Member States***;

## Amendment 156

### Proposal for a directive Annex IV – paragraph 1 – point 7 – point b

*Text proposed by the Commission*

(b) information on management and ***governance*** of the water supplier, ***including the composition of the board***;

*Amendment*

(b) information on management ***model*** and ***the ownership structure*** of the water ***supply by the water*** supplier

## Amendment 157

### Proposal for a directive Annex IV – paragraph 1 – point 7 – point d

*Text proposed by the Commission*

(d) information on the *cost* structure of the tariff *charged to consumers* per cubic meter of water, including fixed and variable costs, *presenting at least* costs related to *energy use per cubic meter of delivered water*, measures taken by water suppliers for the purposes of the hazard assessment pursuant to Article 8(4), treatment and distribution of water intended for human consumption, *waste water collection and treatment*, and costs related to measures for the purposes of Article 13, where such measures have been taken by water suppliers;

*Amendment*

(d) *where costs are recovered through a tariff system*, information on the structure of the tariff per cubic meter of water, including fixed and variable costs *as well as* costs related to measures taken by water suppliers for the purposes of the hazard assessment pursuant to Article 8(4), treatment and distribution of water intended for human consumption, and costs related to measures for the purposes of Article 13, where such measures have been taken by water suppliers;

## Amendment 158

### Proposal for a directive Annex IV – paragraph 1 – point 7 – point e

*Text proposed by the Commission*

(e) the amount of investment *considered necessary by the supplier to ensure the financial sustainability of the provision of water services (including maintenance of infrastructure) and the amount of investment actually received or recouped*;

*Amendment*

(e) the amount of investment *undertaken, under way and planned, as well as the financing plan*;

## Amendment 159

### Proposal for a directive Annex IV – paragraph 1 – point 7 – point g

*Text proposed by the Commission*

(g) summary and statistics of consumer complaints, and *of timeliness and adequacy of responses to problems*;

*Amendment*

(g) summary and statistics of consumer complaints, and *how they are resolved*;



## Amendment 160

### Proposal for a directive Annex IV – paragraph 1 – point 8

*Text proposed by the Commission*

(8) access to historical data for information under points (2) and (3), dating back up to 10 years, upon request.

*Amendment*

(8) access to historical data for information under points (2) and (3), dating back up to 10 years, ***and not earlier than the date of transposition of this Directive*** upon request.