



2018/0169(COD)

5.12.2018

OPINION

of the Committee on Agriculture and Rural Development

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

on the proposal for a regulation of the European Parliament and of the Council
on minimum requirements for water reuse
(COM(2018)0337 – C8-0220/2018 – 2018/0169(COD))

Rapporteur for opinion: Marijana Petir

PA_Legam

SHORT JUSTIFICATION

According to the five IPCC reports¹ published in the period between 1983 and 2012, each of the last three decades has been successively warmer at the global level than any previous decade since the 1850s. The period from 1983 to 2012 is probably the warmest 30-year period in the last 1400 years. Recent climatic changes have significantly affected agriculture and the economy, and it is estimated that the impact of climate change has significantly increased the frequency and intensity of droughts and the damage that they cause to the environment and economy over the last thirty years. Between 1976 and 2006, the number of areas and people affected by drought went up by almost 20 %, and total costs incurred due to drought reached EUR 100 billion (European Commission, 2012). If we take into account the fact that European agriculture uses about a quarter of total captured freshwater for irrigation, while in southern and south-eastern Europe about 60 % – and in some water areas up to 80 % – of total captured freshwater is used for irrigation, water conservation and finding alternative means of supplying water for the irrigation needs of agriculture emerges as a priority.

In accordance with adopted legislation and adopted Union policies, such as the Water Framework Directive² and the EU Action Plan for the Circular Economy³, opportunities to regulate the reuse of water from municipal wastewater treatment systems for irrigation purposes in agriculture are being opened up in order to be able to compensate for potential and actual deficits of this vital resource in a timely manner.

Guided by the precautionary principle and applying the best global experiences, as well as the limitations and recommendations of the World Health Organisation⁴, the Commission has proposed a Regulation establishing standards, procedures and measures for the reuse of water from municipal wastewater treatment systems at EU level.

Given that the Commission has not undertaken specific studies on the risks involved in the process of reusing water in agriculture, the legislative proposal applies the best experiences of third countries (the USA, New Zealand, Australia), as well as of Member States that already use reclaimed water in agriculture. Given that the Regulation will apply only to operators intending to treat and place on the market reclaimed water from municipal wastewater treatment plants, I consider the proposed minimum levels for the proposed key indicators to be appropriate and the methodology and procedure for authorising the supply of reclaimed water to be adequate to ensuring the desired level of public safety – both for farmers and for consumers. The proposal will allow the competent authorities, during the administrative procedure for the approval of reclaimed water supply permits, to apply stricter rules than those laid down in this Regulation, as well as to change the conditions for the approval of permits if necessary.

At the same time, the legislative framework and the cost of implementing this Regulation

¹ IPCC, 2014: Climate Change 2014: Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland
https://www.ipcc.ch/pdf/assessment-report/ar5/syr/SYR_AR5_FINAL_full_wcover.pdf

² COM(2015) 614

³ Directive 2000/60/EC OJ 327, 22.12.2000, p. 1.

⁴ WHO Guidelines for the Safe Use of Wastewater, Excreta and Greywater in Agriculture (WHO, 2006a)

should not deter operators from adapting wastewater treatment plants for the reuse of wastewater in agriculture. Therefore, any unjustified burdens or costs for operators should be avoided. It is necessary to ensure that the legislative framework for the development of risk management plans is applied equally throughout the Union and that all Member States understand and apply the proposed risk assessment requirements in a uniform manner.

Given the significance and possible impact of the proposed new legislation on the current situation in the field, the deadline for the entry into force of this Regulation, as well as the deadline for bringing treatment plants into line with the provisions of the Regulation, should be extended from one year, as originally proposed, to two years from the date of publication of the Regulation in the Official Journal of the European Union.

As members of the European Parliament's Committee on Agriculture and Rural Development, we aim to ensure public safety and trust in the healthiness and high quality of food and agricultural products, while also providing adequate fresh water for European agriculture – especially in the southern and eastern parts of the Union – for irrigation purposes.

AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) Water is not a commercial product like any other but, rather, a heritage that must be protected, defended and treated as such.

Amendment 2

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) The water resources of the Union are increasingly coming under pressure, leading to water scarcity and quality deterioration. In particular, climate change and drought are contributing significantly to the strain on the availability of freshwater, arising from urban development and **agriculture**.

Amendment

(1) The water resources of the Union are increasingly coming under pressure, leading to water scarcity and quality deterioration. In particular, climate change, **unpredictable weather patterns** and drought are contributing significantly to the strain on the availability **and supply** of freshwater, arising from urban development and **agricultural practices**.

Amendment 3

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1 a) At present, the uptake of water reuse solutions remains limited in comparison with their potential, which remains largely untapped.

Amendment 4

Proposal for a regulation
Recital 1 b (new)

Text proposed by the Commission

Amendment

(1 b) It is necessary to encourage efficient resource use and reduce pressures on the water environment, in particular water scarcity, by fostering the development of safe reuse of treated wastewater.

Amendment 5

Proposal for a regulation
Recital 1 c (new)

Text proposed by the Commission

Amendment

(1 c) More and more Europe's water

resources are increasingly coming under stress, leading to water scarcity and quality deterioration. Pressures from climate change, droughts and urban development have put a significant strain on freshwater supplies. In this context, Europe's ability to respond to the increasing risks to water resources should be enhanced by a wider reuse of treated wastewater.

Amendment 6

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) The Union's ability to respond to the increasing pressure on water resources could be enhanced by wider reuse of treated waste water. Directive 2000/60/EC of the European Parliament and of the Council¹⁵ mentions the reuse of water as one of the supplementary measures Member States may choose to apply to achieve the Directive's objectives of good qualitative and quantitative water status for surface waters and groundwaters. Council Directive 91/271/EEC¹⁶ requires that treated waste water be reused whenever appropriate.

¹⁵ 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).

¹⁶ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ L 135, 30.5.1991, p. 40).

Amendment

(2) The Union's ability to respond to the increasing pressure on water resources could be enhanced by wider reuse of treated waste water. Directive 2000/60/EC of the European Parliament and of the Council¹⁵ mentions the reuse of water as one of the supplementary measures Member States may choose to apply to achieve the Directive's objectives of good qualitative and quantitative water status for surface waters and groundwaters, ***this being of great importance for humans and the ecosystem***. Council Directive 91/271/EEC¹⁶ requires that treated waste water be reused whenever appropriate.

¹⁵ 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).

¹⁶ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ L 135, 30.5.1991, p. 40).

Amendment 7

Proposal for a regulation
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2 a) The environment impact and the energy required to extract and transport fresh water is significant;

Amendment 8

Proposal for a regulation
Recital 3

Text proposed by the Commission

Amendment

(3) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on “A Blueprint to Safeguard Europe's Water Resources”¹⁷ pointed to water reuse for irrigation or industrial purposes as an alternative water supply option requiring Union attention.

(3) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on “A Blueprint to Safeguard Europe's Water Resources”¹⁷ pointed to water reuse for irrigation or industrial purposes as an alternative water supply option requiring Union attention ***with a view to sustainable development, protection of the population and satisfaction of the needs of future generations.***

¹⁷ COM (2012) 673

¹⁷ COM (2012) 673

Amendment 9

Proposal for a regulation
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The European Parliament resolution of 9 October 2008 on addressing the challenge of water scarcity and droughts in the European Union^{1a} recalls that a demand-side approach should be preferred when managing water resources and takes the view that the

Union should adopt a holistic approach when managing water resources, combining measures of demand management, measures to optimise existing resources within the water cycle, and measures to create new resources, and that the approach needs to integrate environmental, social and economic considerations.

1^a 2008/2074(INI)

Amendment 10

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) Reuse of appropriately treated waste water, for example from urban waste water treatment plants or industrial installations, is considered to have a lower environmental impact than other alternative water supply methods, such as water transfers or desalination, but such reuse only occurs to a limited extent in the Union. This appears to be partly due to the lack of common Union environmental or health standards for water reuse, and, as regards in particular agricultural products, the potential obstacles to the free movement of such products irrigated with reclaimed water.

Amendment

(6) Reuse of appropriately treated waste water, for example from urban waste water treatment plants or industrial installations, is considered to have a lower environmental impact than other alternative water supply methods, such as water transfers or desalination. But such reuse only occurs to a limited extent in the Union. This appears to be partly due to *the significant cost of wastewater reuse system and* the lack of common Union environmental or health standards for water reuse, and, as regards in particular agricultural products, the potential *health and environmental risks and potential* obstacles to the free movement of such products irrigated with reclaimed water. *At the same time, it should be borne in mind that, in certain Member States, the irrigation infrastructure is inadequate or non-existent.*

Amendment 11

Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) If the effective reuse of urban waste water resources is to be guaranteed, it must be acknowledged that not all types of recycled water can be used for all crops. Farmers must therefore be trained to use the various types of recycled water in an optimum way for crops in respect of which the quality of the water used has no public health implications.

Amendment 12

Proposal for a regulation

Recital 7

Text proposed by the Commission

Amendment

(7) Health standards in relation to food hygiene for agricultural products irrigated with reclaimed water can be achieved only if quality requirements for reclaimed water destined for agricultural irrigation do not differ significantly in Member States. Harmonisation of requirements will also contribute to the efficient functioning of the internal market in relation to such products. It is therefore appropriate to introduce minimum harmonisation by setting minimum requirements for water quality and monitoring. Those minimum requirements should consist of minimum parameters for reclaimed water and other stricter or additional quality requirements imposed, if necessary, by competent authorities together with any relevant preventive measures. In order to identify stricter or additional requirements for water quality, the reclamation **plant** operators should perform key risk management tasks. The parameters are based on the technical report of the Commission Joint Research Center and reflect the international standards on water reuse.

(7) **Equivalent** health standards in relation to food hygiene for agricultural products irrigated with reclaimed water can be achieved **across the Union** only if quality requirements for reclaimed water destined for agricultural irrigation do not differ significantly in Member States. Harmonisation of requirements will also contribute to the efficient functioning of the internal market in relation to such products. It is therefore appropriate to introduce minimum harmonisation by setting minimum requirements for water quality and monitoring, **while allowing Member States to go further and have higher standards and to assess risks considering site specific conditions, especially for environment.** Those minimum requirements should consist of minimum parameters for reclaimed water and other stricter or additional quality requirements imposed, if necessary, by competent authorities together with any relevant preventive measures. In order to identify stricter or additional requirements for water quality, the reclamation **facility** operators should perform key risk

management tasks. The parameters are based on the technical report of the Commission Joint Research Center and reflect the international standards on water reuse.

Amendment 13

Proposal for a regulation

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7 a) Minimum quality requirements including microbiological and physico-chemical parameters, associated limit values and monitoring frequencies should be established for agricultural irrigation.

Amendment 14

Proposal for a regulation

Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) The quality requirements for water used for irrigation should take account of scientific progress, in particular as regards tests for micropollutants and new 'emerging' substances, in order to guarantee safe water use and protect the environment and public health.

Amendment 15

Proposal for a regulation

Recital 9

Text proposed by the Commission

Amendment

(9) Risk management should comprise identifying and managing risks in a proactive way and incorporate the concept of producing reclaimed water of a quality required for particular uses. The risk

(9) Risk management should comprise identifying and managing risks in a proactive way and incorporate the concept of producing reclaimed water of a quality required for particular uses. The risk

assessment should be based on key risk management tasks and should identify any additional water quality requirements necessary to ensure sufficient protection of the environment, human and animal health.

assessment should be based on key risk management tasks and should identify any additional water quality requirements necessary to ensure sufficient protection of the environment, human and animal health ***in particular concerning the use treated waste water on agricultural land used for food production.***

Amendment 16

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) In order to effectively protect the environment ***and human health***, reclamation ***plant*** operators ***should*** be primarily responsible for the quality of reclaimed water. ***For the purposes of compliance with the minimum requirements and any additional conditions, set by the competent authority***, reclamation ***plant*** operators should monitor the quality of reclaimed water. It is therefore appropriate to establish the minimum requirements for monitoring, consisting of the frequencies of the routine monitoring and the timing and performance targets for validation monitoring. Certain requirements for routine monitoring are specified in accordance with Directive 91/271/EEC.

Amendment

(10) In order to effectively protect the environment, ***human health and soil quality***, reclamation ***facility*** operators ***and the competent authorities shall*** be primarily responsible for the quality of reclaimed water. ***In order to guarantee users, and in particular farmers, water of a quality consistent with the parameters set***, reclamation ***facility*** operators should monitor the quality of reclaimed water ***in accordance with the minimum requirements and any additional conditions set by the competent authority***. It is therefore appropriate to establish the minimum requirements for monitoring, consisting of the frequencies of the routine monitoring and the timing and performance targets for validation monitoring. Certain requirements for routine monitoring are specified in accordance with Directive 91/271/EEC.

Amendment 17

Proposal for a regulation Recital 11

Text proposed by the Commission

(11) It is necessary to ensure the safe use of reclaimed water, thereby encouraging

Amendment

(11) It is necessary ***and important*** to ensure ***economic reliability and security***

water reuse at Union level and enhancing public confidence in it. Supply of reclaimed water for particular uses should therefore only be permitted on the basis of a permit, granted by competent authorities of Member States. In order to ensure harmonised approach at Union level, traceability and transparency, the substantive rules for that permit should be laid down at the Union level. However, the details of the procedures for granting permits should be determined by Member States. Member States should be able to apply existing procedures for granting permits which should be adapted to take account of the requirements introduced by this Regulation.

through the safe *and secure* use of reclaimed water, thereby encouraging *the development of* water reuse at Union level, *encouraging EU farmers to adopt this practice* and enhancing public confidence in it. Supply of reclaimed water for particular uses should therefore only be permitted on the basis of a permit, granted by competent authorities of Member States. In order to ensure harmonised approach at Union level, traceability and transparency, the substantive rules for that permit should be laid down at the Union level. However, the details of the procedures for granting permits should be determined by Member States, *whose competent authorities are themselves responsible for assessing the risks linked to water reuse*. Member States should be able to apply existing procedures for granting permits which should be adapted to take account of the requirements introduced by this Regulation.

Amendment 18

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) If distribution of the reclaimed water is needed any such distribution should be subject to a permit. If all requirements are met, the competent authority in the Member State should grant a permit that should contain all the necessary conditions and measures established in the risk assessment for a safe distribution of reclaimed water to the end user.

Amendment 19

Proposal for a regulation Recital 13

(13) Regulation (EC) 852/2004 lays down general rules for food business operators and covers the production, processing, distribution and placing on the market of food intended for human consumption. That Regulation addresses the health quality of food and one of its main principles is that the primary responsibility for food safety is borne by the food business operator. That Regulation is also subject to detailed guidance, of particular relevance being the Commission Notice on guidance document on addressing microbiological risks in fresh fruits and vegetables at primary production through good hygiene (2017/C 163/01). The performance targets for reclaimed water laid down in this Regulation do not preclude food business operators from obtaining the water quality required to comply with Regulation 852/2004 ***using at a subsequent stage several water treatment options alone or in combination with other non-treatment options.***

(13) Regulation (EC) 852/2004 lays down general rules for food business operators and covers the production, processing, distribution and placing on the market of food intended for human consumption. That Regulation addresses the health quality of food and one of its main principles is that the primary responsibility for food safety is borne by the food business operator. That Regulation is also subject to detailed guidance, of particular relevance being the Commission Notice on guidance document on addressing microbiological risks in fresh fruits and vegetables at primary production through good hygiene (2017/C 163/01). The performance targets for reclaimed water laid down in this Regulation do not preclude food business operators from obtaining the water quality required to comply with Regulation 852/2004. ***Farmers' responsibility for the quality of their products notwithstanding, the competent authorities should be given the task of assessing the risks and dangers linked to the use of reclaimed water.***

Amendment 20

Proposal for a regulation Recital 14

(14) In order to encourage confidence in water reuse, information should be provided to the public. Making available of information on water reuse should allow for increased transparency and traceability and could also be of particular interest to other relevant authorities for whom the specific water reuse has implications.

(14) ***If the Union's targets for the sparing use of resources are to be met, making consumers aware of their responsibilities is also important. It would be necessary, first of all, to review practices involving the use of natural resources, with the aim of achieving savings.*** In order to encourage confidence in water reuse ***and secure consumer acceptance of this sustainable practice,*** information should be provided to the public, ***accompanied by a system of***

rewards and incentives for users. Making available of information on water reuse should allow for increased transparency and traceability and could also be of particular interest to other relevant authorities for whom the specific water reuse has implications.

Amendment 21

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) It is necessary to guarantee funding to meet the 'total cost' of the system for the production, distribution and safe use of reclaimed water.

Justification

The total cost includes: construction, operation, maintenance of the production plant and/or distribution network and qualitative monitoring for the purposes of risk management and for securing permits.

Amendment 22

Proposal for a regulation Recital 14 b (new)

Text proposed by the Commission

Amendment

(14b) It is necessary to enhance the quality and quantity of monitoring, evaluation and information, above all in areas where the environment is suffering the effects of highly pollutant industrial and agricultural activities and which are lagging behind in the construction of sewage systems and waste water collection and reclamation facilities, thereby infringing European legislation.

Amendment 23

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) In order to adapt the existing minimum requirements and the key risk management tasks to scientific and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to amend the minimum requirements and the key risk management tasks. Moreover, in order to ensure a high level of protection of the environment and human health, the Commission should also be able to adopt delegated acts supplementing the key risk management tasks by laying down technical specifications. It is of particular importance that the Commission carries 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-Making³⁷. 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.

³⁷ OJ L 123, 12.5.2016, p. 1.

Amendment 24

Proposal for a regulation

Recital 18

Amendment

(16) In order to adapt the existing minimum requirements and the key risk management tasks to scientific and technical progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to amend the minimum requirements and the key risk management tasks, ***without compromising the scope for reusing properly treated waste water.*** Moreover, in order to ensure a high level of protection of the environment and human health, the Commission should also be able to adopt delegated acts supplementing the key risk management tasks by laying down technical specifications. It is of particular importance that the Commission carries 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-Making³⁷. 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.

³⁷ OJ L 123, 12.5.2016, p. 1.

Text proposed by the Commission

(18) Competent authorities should verify compliance of the reclaimed water with the conditions set out in the permit. In cases of non-compliance, they should require the reclamation **plant** operator to take the necessary measures to ensure compliance. The operators of reclamation **plants** should immediately suspend any supply of the reclaimed water when non-compliance causes a significant risk to the environment or to human health.

Amendment

(18) ***To reduce these risks use of treated waste water on agricultural land for food production should be of a high standard.*** Competent authorities should verify compliance of the reclaimed water with the conditions set out in the permit. In cases of non-compliance, they should require the reclamation **facility** operator to take the necessary measures to ensure compliance. The operators of reclamation **facility** should immediately suspend any supply of the reclaimed water when non-compliance causes a significant risk to the environment or to human health. ***The competent authorities should work closely with farmers in order to facilitate the reuse of reclaimed water.***

Amendment 25

**Proposal for a regulation
Recital 25 a (new)**

Text proposed by the Commission

Amendment

(25a) With a view to developing and promoting the reuse of properly treated waste water as much as possible, the European Union must support research and development in this area through the Horizon Europe programme in order to bring about a significant improvement in the reliability of properly treated waste water and in viable use methods.

Amendment 26

**Proposal for a regulation
Recital 25 b (new)**

Text proposed by the Commission

Amendment

(25b) This Regulation seeks to encourage the sustainable use of water.

With that aim in view, the Commission should undertake to use Union programmes, including the LIFE Programme, to support local initiatives involving the reuse of properly treated waste water.

Amendment 27

Proposal for a regulation Article 1 – paragraph 2

Text proposed by the Commission

2. The purpose of this Regulation is to guarantee that reclaimed water is safe for its intended use, thereby ensuring ***a high*** level of protection of human and animal health and the environment, addressing water scarcity and the resulting pressure on water resources in a coordinated way throughout the Union, thus also contributing to the efficient functioning of the internal market.

Amendment

2. The purpose of this Regulation is to guarantee that reclaimed water is safe for its intended use, thereby ensuring ***the maximum*** level of protection of human and animal health and the environment, addressing water scarcity and the resulting pressure on water resources in a coordinated way throughout the Union, thus also contributing to the efficient functioning of the internal market.

Amendment 28

Proposal for a regulation Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. This Regulation should encourage users of large quantities of water, including farmers, to develop sustainable water use practices which save water.

Amendment 29

Proposal for a regulation Article 1 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. This Regulation should make possible the deployment of water use

Amendment 30

Proposal for a regulation

Article 3 – paragraph 1 – point 5

Text proposed by the Commission

5. 'reclaimed water' means urban waste water that has been treated in compliance with the requirements set out in Directive 91/271/EEC and which results from further treatment in a reclamation **plant**;

Amendment

5. 'reclaimed water' means urban waste water that has been treated in compliance with the requirements set out in Directive 91/271/EEC and which results from further treatment in a reclamation **facility**;

(The amendment of the term “reclamation plant” to “reclamation facility” applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Justification

Harmonisation of the terms “plant” and “facility” with EU environmental legislation is necessary. Facility for water reclamation could be a part of the water treatment plant and could be operated by different operator.

Amendment 31

Proposal for a regulation

Article 3 – paragraph 1 – point 6

Text proposed by the Commission

6. 'reclamation **plant**' means an urban waste water treatment plant or other plant that further treats urban waste water complying with the requirements set out in Directive 91/271/EEC in order to produce water that is fit for a use specified in section 1 of Annex I to this Regulation;

Amendment

6. 'reclamation **facility**' means an urban waste water treatment plant or other plant that further treats urban waste water complying with the requirements set out in Directive 91/271/EEC in order to produce **reclaimed** water that is fit for a use specified in section 1 of Annex I to this Regulation;

(The amendment of the term “reclamation plant” to “reclamation facility” applies

throughout the text. Adopting it will necessitate corresponding changes throughout.)

Justification

Harmonisation of the terms “plant” and “facility” with EU environmental legislation is necessary. Facility for water reclamation could be a part of the water treatment plant and could be operated by different operator.

Amendment 32

Proposal for a regulation

Article 3 – paragraph 1 – point 7

Text proposed by the Commission

7. 'reclamation **plant** operator' means a natural or legal person who operates or controls a reclamation **plant**;

Amendment

7. 'reclamation **facility** operator' means a natural or legal person who operates or controls a reclamation **facility**;

(The amendment of the term “reclamation plant” to “reclamation facility” applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Justification

Harmonisation of the terms “plant” and “facility” with EU environmental legislation is necessary. Facility for water reclamation could be a part of the water treatment plant and could be operated by different operator.

Amendment 33

Proposal for a regulation

Article 3 – paragraph 1 – point 11 a (new)

Text proposed by the Commission

Amendment

11 a. ‘point of compliance’ means outlet of the reclamation facility;

Justification

The term “Point of compliance” should be defined in the “Definitions” section as already

defined in Article 4.

Amendment 34

Proposal for a regulation

Article 3 – paragraph 1 – point 11 b (new)

Text proposed by the Commission

Amendment

11 b. 'micropollutant' means an undesirable substance detectable in the environment at a very low concentration, as referred to in Annex VIII to Directive 2000/60/EC;

Amendment 35

Proposal for a regulation

Article 3 – paragraph 1 – point 11 c (new)

Text proposed by the Commission

Amendment

11 c. 'reclaimed water distributor': the natural or legal person responsible for distributing reclaimed water or controlling the network.

Amendment 36

Proposal for a regulation

Article 4 – title

Text proposed by the Commission

Amendment

Obligations of reclamation **plant** operators
as regards water quality

Obligations of reclamation **facility**
operators as regards water quality

Amendment 37

Proposal for a regulation

Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. Reclamation **plant** operators shall ensure that reclaimed water destined for a use specified in section 1 of Annex I, shall, at the **outlet of the reclamation plant** (point of compliance), comply with the following:

Amendment

1. Reclamation **facility** operators shall, at the point of compliance, ensure that reclaimed water destined for a use specified in section 1 of Annex I, shall comply with the following:

Justification

To be consistent with proposed definitions.

Amendment 38

Proposal for a regulation

Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) any additional conditions set by the competent authority in the relevant permit pursuant to points (b) and (c) of Article 7(3), as regards water quality.

Amendment

(b) any **well-founded** additional conditions set by the competent authority in the relevant permit pursuant to points (b) and (c) of Article 7(3), as regards water quality.

Amendment 39

Proposal for a regulation

Article 4 – paragraph 2 – introductory part

Text proposed by the Commission

2. In order to ensure compliance with the requirements and conditions referred to in paragraph 1, the reclamation **plant** operator shall monitor water quality in accordance with the following:

Amendment

2. In order to ensure compliance with the requirements and conditions referred to in paragraph 1, the reclamation **facility** operator **concerned** shall monitor water quality in accordance with the following:

Amendment 40

Proposal for a regulation

Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. *After the point of compliance, the quality of water is not the responsibility of the reclamation facility operator anymore, but becomes the responsibility of the next party in the water reuse chain.*

Amendment 41

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. For the purposes of producing and supplying reclaimed water risk management shall be undertaken by the reclamation **plant** operator in consultation with the following actors:

1. For the purposes of producing and supplying reclaimed water risk management shall be undertaken by the reclamation **facility** operator in consultation with the following actors:

Amendment 42

Proposal for a regulation

Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the operator of the urban waste water treatment plant(s) supplying a reclamation **plant** with water, if different from the reclamation **plant** operator;

(a) the operator of the urban waste water treatment plant(s) supplying a reclamation **facility** with water, if different from the reclamation **facility** operator;

Amendment 43

Proposal for a regulation

Article 5 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) *reclaimed water distributor(s);*

Amendment 44

Proposal for a regulation

Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) any other party deemed relevant by the reclamation **plant** operator.

Amendment

(c) any other party deemed relevant by the reclamation **facility** operator.

Amendment 45

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. The reclamation **plant** operator shall draw-up a Water Reuse Risk Management Plan based on the key risk management tasks set out in Annex II. The Water Reuse Risk Management Plan shall propose any additional requirements to those specified in Annex I necessary to further mitigate any risks, and shall, inter alia, identify hazards, risks and appropriate preventive measures.

Amendment

2. The reclamation **facility** operator **concerned** shall draw-up a Water Reuse Risk Management Plan based on the key risk management tasks set out in Annex II **for which he is responsible**.

The Water Reuse Risk Management Plan shall propose any additional requirements to those specified in Annex I necessary to further mitigate any risks, and shall, inter alia, identify hazards, risks and appropriate preventive measures.

The reclamation facility operator shall inform the end user as soon as sufficient information is collected.

Amendment 46

Proposal for a regulation

Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. If the type of crop to be irrigated is to be marketed in several different forms

and falls into several different treated water quality classes, the reclamation facility operator shall be required to provide the farmer with water in the highest of the quality classes concerned.

Amendment 47

Proposal for a regulation Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. National water authorities, together with the Commission, shall organise specialist training and information sessions for national agency staff that will be responsible for assessing permit applications from operators; alternatively, the Commission shall undertake to draw up and disseminate to the national authorities information brochures and possibly online content concerning the rules and requirements governing minimum standards for water reuse.

Amendment 48

Proposal for a regulation Article 7 a (new)

Text proposed by the Commission

Amendment

Article 7 a

Distribution of the reclaimed water

- 1. Any distribution of reclaimed water destined for a use specified in section 1 of Annex I, shall be subject to a permit.*
- 2. The competent authority shall decide within 3 months from the receipt of the application whether to grant the permit.*
- 3. The permit shall contain all the necessary conditions and measures for a safe distribution of reclaimed water to the*

end user established in the risk assessment carried out in accordance with Article 6.

4. The permit shall be reviewed regularly and at least every five years and, if necessary, modified.

Amendment 49

Proposal for a regulation

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. The competent authority shall verify compliance of the reclaimed water with the conditions set out in the permit, at the point of compliance. The compliance check shall be performed using the following means:

Amendment

1. ***Before issuing a permit***, the competent authority shall verify compliance of the reclaimed water with the conditions set out in the permit, at the point of compliance. The compliance check shall be performed using the following means:

Amendment 50

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. In the event of non-compliance, the competent authority shall require the reclamation ***plant*** operator to ***take any*** necessary measures to restore compliance ***without delay***.

Amendment

2. In the event of non-compliance ***detected after issue of a permit***, the competent authority shall require the reclamation ***facility*** operator to ***halt the supply of reclaimed water until the*** necessary measures to restore compliance ***have been taken and inform reclaimed water distributors and final users who may be affected of the situation***.

Amendment 51

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. Where non-compliance causes a significant risk to the environment or to human health, the reclamation **plant** operator shall immediately suspend any further supply of the reclaimed water until the competent authority determines that compliance has been restored.

Amendment 52

Proposal for a regulation

Article 8 – paragraph 4

Text proposed by the Commission

4. If an incident affecting compliance with the permit's conditions occurs, the reclamation **plant** operator shall immediately inform the competent authority and **the** end-user(s) **which may be potentially affected**, and communicate to the competent authority the information necessary for assessing the impacts of such an incident.

Amendment 53

Proposal for a regulation

Article 10 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

3. Where non-compliance causes a significant risk to the environment or to human health, the reclamation **facility** operator shall immediately suspend any further supply of the reclaimed water until the competent authority determines that compliance has been restored.

Amendment

4. If an incident affecting compliance with the permit's conditions occurs, the reclamation **facility** operator shall immediately inform the competent authority and **all reclaimed water distributors and** end-user(s) and communicate to the competent authority the information necessary for assessing the impacts of such an incident.

Amendment

2a. In accordance with Regulation (EC) No 852/2004 laying down general rules applicable to operators in the food sector, which covers the production, processing, distribution and marketing of foodstuffs intended for human consumption, the competent authorities must inform the user of the maximum nutrient content of the properly treated waste water supplied, so that the farmer can satisfy himself that it is consistent with the nutrient levels laid down by the

relevant EU rules.

Amendment 54

Proposal for a regulation

Article 11 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall undertake to review once every 10 years, or whenever the situation so requires, the minimum reclaimed water quality standards on the basis of studies conducted in the EU rather than third countries.

Amendment 55

Proposal for a regulation

Article 13 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) experiments which have been carried out, in particular as regards the use in agriculture of sewage sludge and methanisation effluents.

Amendment 56

Proposal for a regulation

Article 13 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) the growing presence of micropollutants and new 'emerging' substances in reused water.

Amendment 57

Proposal for a regulation

Article 17 – paragraph 2

Text proposed by the Commission

Amendment

It shall apply from ... [**one year** after the date of entry into force of this Regulation].

It shall apply from ... [**two years** after the date of entry into force of this Regulation].

Justification

Considering the number of adaptations required existing facilities to comply with the regulation, by improving the existing equipment, by changing the operation and controls and, above all, by conducting the risk assessment and establishing the risk management plan and assigning responsibilities, the proposed time of one year should be extended to at least two years to allow for compliance.

Amendment 58

Proposal for a regulation
Annex II – point 1

Text proposed by the Commission

Amendment

1. Describe the water reuse system, from the waste water entering the urban waste water treatment plant to the point of use, including the sources of waste water, the treatment steps and technologies at the reclamation **plant**, the supply and storage infrastructure, the intended use, the place of use, and the quantities of reclaimed water to be supplied. The aim of this task is to provide a detailed description of the entire water reuse system.

1. Describe the water reuse system, from the waste water entering the urban waste water treatment plant to the point of use, including the sources of waste water, the treatment steps and technologies at the reclamation **facility**, the supply, **distribution** and storage infrastructure, the intended use, the place of use, and the quantities of reclaimed water to be supplied. The aim of this task is to provide a detailed description of the entire water reuse system.

Amendment 59

Proposal for a regulation
Annex II – point 4 – paragraph 2 – point b – point i

Text proposed by the Commission

Amendment

i. confirmation of the nature of the hazards, including, where relevant, the dose-response relationship;

i. confirmation of the nature of the hazards, including, where relevant, the dose-response relationship **in collaboration with health authorities**;

Justification

Dose-response relationships and risk assessment studies require certain skills, knowledge and data, which health authorities in Member States could provide.

Amendment 60

Proposal for a regulation

Annex II – point 4 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) an assessment of risks to animal health.

Amendment 61

Proposal for a regulation

Annex II – point 4 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the obligation for drinking water protected areas to meet the requirements of Council Directive 98/83/EC⁴⁰ ;

(b) the obligation for drinking water protected areas to meet the requirements of Council Directive 98/83/EC⁴⁰ ***including regarding hormones, medicines and microplastics;***

⁴⁰ Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).

⁴⁰ Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).

Amendment 62

Proposal for a regulation

Annex II – point 4 – paragraph 3 – point m a (new)

Text proposed by the Commission

Amendment

(m a) the requirements to prevent pollution or health impacts caused by endocrine disruptors as referred to in Regulation 1107/2009 of the European

^{1a} Regulation 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market (OJ L 309, 24.11.2009, p. 1)

Amendment 63

Proposal for a regulation

Annex II – point 5 – paragraph 1 – point b

Text proposed by the Commission

(b) pesticides;

Amendment

(b) pesticides ***including endocrine disruptors***;

Amendment 64

Proposal for a regulation

Annex II – point 5 – paragraph 1 – point d

Text proposed by the Commission

(d) pharmaceuticals;

Amendment

(d) pharmaceuticals ***and hormones***;

Amendment 65

Proposal for a regulation

Annex II – point 5 – paragraph 1 – point e

Text proposed by the Commission

(e) other substances of emerging concern;

Amendment

(e) other substances of emerging concern, ***such as microplastics***;

Amendment 66

Proposal for a regulation

Annex II – point 6 – table 1 – row 2 – column 2

Text proposed by the Commission

- **Pigs** must not be exposed to fodder irrigated with reclaimed water unless there is sufficient data to indicate that the risks for a specific case can be managed.

Amendment

- **Food producing animals** must not be exposed to fodder irrigated with reclaimed water unless there is sufficient data to indicate that the risks for a specific case can be managed.

Amendment 67

Proposal for a regulation

Annex II – point 6 – table 1 – row 3 – column 2 – indent 2

Text proposed by the Commission

- Exclude lactating dairy cattle from pasture until pasture **is dry**.

Amendment

- Exclude lactating dairy cattle from pasture until pasture **for five days after last irrigation**.

Amendment 68

Proposal for a regulation

Annex II – point 8 – paragraph 2

Text proposed by the Commission

It is recommended that the reclamation **plant** operator set up and maintain a quality management system certified under ISO 9001 or equivalent.

Amendment

It is recommended that the reclamation **facility** operator set up and maintain a quality management system certified under ISO 9001 or equivalent.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Minimum requirements for water reuse						
References	COM(2018)0337 – C8-0220/2018 – 2018/0169(COD)						
Committee responsible Date announced in plenary	ENVI 2.7.2018						
Opinion by Date announced in plenary	AGRI 2.7.2018						
Rapporteur Date appointed	Marijana Petir 4.7.2018						
Date adopted	3.12.2018						
Result of final vote	<table> <tr> <td>+</td><td>28</td></tr> <tr> <td>–</td><td>3</td></tr> <tr> <td>0</td><td>2</td></tr> </table>	+	28	–	3	0	2
+	28						
–	3						
0	2						
Members present for the final vote	Clara Eugenia Aguilera García, Eric Andrieu, Daniel Buda, Jacques Colombier, Michel Dantin, Paolo De Castro, Albert Deß, Jørn Dohrmann, Herbert Dorfmann, Norbert Erdős, Luke Ming Flanagan, Martin Häusling, Anja Hazekamp, Jan Huitema, Jarosław Kalinowski, Zbigniew Kuźmiuk, Philippe Loiseau, Mairead McGuinness, Nuno Melo, Ulrike Müller, James Nicholson, Maria Noichl, Marijana Petir, Bronis Ropé, Maria Lidia Senra Rodríguez, Maria Gabriela Zoană, Marco Zullo						
Substitutes present for the final vote	Maria Heubuch, Karin Kadenbach, Sofia Ribeiro, Annie Schreijer-Pierik						
Substitutes under Rule 200(2) present for the final vote	Birgit Collin-Langen, Renate Sommer						

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

28	+
ALDE	Jan Huitema, Ulrike Müller
ECR	Zbigniew Kuźmiuk, James Nicholson
ENF	Jacques Colombier, Philippe Loiseau
PPE	Daniel Buda, Birgit Collin-Langen, Michel Dantin, Albert Deß, Herbert Dorfmann, Norbert Erdős, Jarosław Kalinowski, Mairead McGuinness, Nuno Melo, Marijana Petir, Sofia Ribeiro, Annie Schreijer-Pierik, Renate Sommer
S&D	Clara Eugenia Aguilera García, Eric Andrieu, Paolo De Castro, Karin Kadenbach, Maria Noichl, Maria Gabriela Zoană
Verts/ALE	Maria Heubuch, Martin Häusling, Bronis Ropé

3	-
ECR	Jørn Dohrmann
EFDD	Marco Zullo
GUE/NGL	Maria Lidia Senra Rodríguez

2	0
GUE/NGL	Luke Ming Flanagan, Anja Hazekamp

Key to symbols:

+ : in favour

- : against

0 : abstention