



24.10.2012

NOTICE TO MEMBERS

Subject: Petition 1276/2011 by Wolf Zubrytzki (German), on the establishment of a protected area for drinking water on the Saidenberg (Germany)

1. Summary of petition

The petitioner complains about the pollution of drinking water in the course of agricultural activities taking place in the vicinity of the spring which provides about 400 people with drinking water. According to the petitioner, the competent authorities are doing too little to protect the drinking water area.

2. Admissibility

Declared admissible on 8 March 2012. Information requested from Commission under Rule 202(6).

3. Commission reply, received on 24 October 2012

The petitioner complains about the pollution of a water resource that is currently not a drinking water protected area but is part of the catchment area of the "Saidenbach" drinking water reservoir. Agricultural activities releasing pesticides and other contaminants are taking place in the vicinity of the spring which provides about 400 people with drinking water. According to the petitioner, the competent authorities are not taking measures to protect the drinking water.

Article 7 of Directive 2000/60/EC (Water Framework Directive, WFD)¹ requires Member States to identify all water bodies used for the abstraction of water intended for human consumption providing more than 10 m³ a day as an average or serving more than 50 persons.

¹ OJ L 327, 22.12.2000.

Each of those water bodies has to meet the objectives of the WFD (Article 4). This includes the requirement that Member States achieve good groundwater status by 2015 and avoid deterioration in their quality. Directive 2006/118/EC (Groundwater Directive, GWD)¹ establishes European wide environmental quality standards for nitrates and pesticides but for other pollutants it is for the Member States to establish quality standards based on the risks of pollution.

Member States must also ensure that the resulting drinking water meets the requirements of Directive 80/778/EEC as amended by Directive 98/83/EC (Drinking Water Directive, DWD)². According to the WFD, Member States may establish safeguard zones for water bodies used for the abstraction of water intended for human consumption, this requirement is, therefore, not obligatory.

The petitioner does not provide evidence showing that the above-mentioned obligations have been violated. There is no evidence suggesting that the agricultural activity in the area is causing a deterioration in the status of the groundwater bodies, or harms any groundwater or drinking water quality standard.

Conclusion

The Commission cannot identify any breach of EU legislation.

¹ OJ L 372, 27.12.2006.

² OJ L 330, 5.12.1998, p. 32–54.