



Plenary sitting

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29.1.2019

*****I**
REPORT

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))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Simona Bonafè

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

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))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0337),
 - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0220/2018),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 12 December 2018¹,
 - having regard to the opinion of the Committee of the Regions of 6 December 2018²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Agriculture and Rural Development (A8-0044/2019),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

² Not yet published in the Official Journal.

Amendment 1

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 of freshwater, arising from urban development and agriculture.

Amendment 2

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.

Amendment

(2) The Union's ability to respond to the increasing ***pressures*** on water resources could be enhanced by wider reuse of treated waste water, ***limiting extraction from water bodies and groundwater, reducing the impact of discharge of treated waste water into water bodies, and promoting water savings through the multiple use of urban waste water, while ensuring a high level of environmental protection.*** Directive 2000/60/EC of the European Parliament and of the Council¹⁵ mentions ***water reuse, in combination with the promotion of the use of water-efficient technologies in industry and water-saving irrigation techniques,*** 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).

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 3

Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) A particular problem in many areas is the age and poor condition of treated waste water distribution infrastructure, which leads to a huge loss of that treated waste water and the attendant waste of the financial resources invested in that treatment. The upgrading of all such pipe infrastructure should thus be a priority.

Amendment 4

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 ***the need to create an instrument to regulate standards at Union level for water reuse, to remove the barriers to a widespread use of such an alternative water supply option, namely one that can help to reduce water scarcity and lessen***

¹⁷ COM(2012) 673.

¹⁷ COM(2012) 673.

Amendment 5

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) The Communication from the Commission to the European Parliament and the Council "Addressing the challenge of water scarcity and droughts in the European Union¹⁸ sets out the hierarchy of measures that Member States should consider in managing water scarcity and droughts. It states that in regions where all preventive measures have been implemented according to the water hierarchy and where demand for water still exceeds availability, additional water supply infrastructure can, in some circumstances and taking into account of the cost benefit dimension, serve as an alternative approach to mitigate the impacts of severe drought.

¹⁸ COM(2007) 414.

Amendment 6

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4) The Communication from the Commission to the European Parliament and the Council "Addressing the challenge of water scarcity and droughts in the European Union¹⁸ sets out the hierarchy of measures that Member States should consider in managing water scarcity and droughts. ***For the same purpose, it would be advisable to lay down within Directive 2000/60/ECA a binding hierarchy of measures for the sound management of water.*** It states that in regions where all preventive measures have been implemented according to the water hierarchy and where demand for water still exceeds availability, additional water supply infrastructure can, in some circumstances and taking into account of the cost benefit dimension, serve as an alternative approach to mitigate the impacts of severe drought.

¹⁸ COM(2007) 414.

(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.

^{1a} OJ C 9 E, 15.1.2010, p. 33.

Amendment 7

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) In its Action Plan for the Circular Economy ¹⁹the Commission committed to taking a series of actions to promote the reuse of treated waste water, including the development of a legislative proposal on minimum requirements for water reuse.

¹⁹ COM(2015) 614.

Amendment

(5) In its Action Plan for the Circular Economy ¹⁹the Commission committed to taking a series of actions to promote the reuse of treated waste water, including the development of a legislative proposal on minimum requirements for water reuse. ***The Commission should update its Action Plan and keep water resources as a priority area in which to intervene.***

¹⁹ COM(2015) 614.

Amendment 8

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Reuse of appropriately treated

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 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.

waste water, for example from urban waste water treatment plants, is considered to have a lower environmental impact than other alternative water supply methods, such as water transfers or desalination. But such reuse, **which could reduce water wastage and save water**, only occurs to a limited extent in the Union. This appears to be partly due to **the significant cost of waste water reuse system and** the lack of common Union environmental **and** 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 9

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Water reuse could contribute to the recovery of the nutrients contained in treated waste water, and the use of recovered water for irrigation purposes in agriculture or forestry could be a way of restoring nutrients, such as nitrogen, phosphorus and potassium, to natural biogeochemical cycles.

Amendment 10

Proposal for a regulation Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) The reuse of adequately treated reclaimed water for irrigation purposes

pursuant to this Regulation should be environmentally friendly. It should not, therefore, result in increased nitrogen and phosphorus release, as excess of such nutrients leads to the eutrophication of soils and surface and ground water bodies, damaging ecosystems and contributing to the reduction of biodiversity.

Amendment 11

Proposal for a regulation Recital 6 c (new)

Text proposed by the Commission

Amendment

(6c) If the effective reuse of urban waste water resources is to be guaranteed, it should be acknowledged that not all types of recycled water can be used for all crops. Farmers should 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

(7) **Equivalent** 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

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 Centre and reflect the international standards on water reuse.

quality, ***the frequency of monitoring and key risk management tasks***. 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. ***The reclamation facility operator should draft a Water Reuse Risk Management Plan in cooperation with the relevant actors involved and should be allowed to identify stricter or additional requirements for the quality of the reclaimed water. The reclamation facility operator*** should perform key risk management tasks, ***in cooperation at least with the reclaimed water distribution operator and the reclaimed water storage operator. The Water Reuse Risk Management Plan should be kept constantly updated and drafted in accordance with internationally recognised standardised procedures***. The parameters are based on the technical report of the Commission Joint Research Centre and reflect the international standards on water reuse. ***The Commission Joint Research Centre should develop parameters and measurement methods to identify the presence of microplastics and pharmaceutical residues in reclaimed water.***

Amendment 13

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The presence of microplastics can pose a risk to human health and the environment. Therefore, as part of an in-depth review of the sources, distribution, fate and effects of microplastics in the context of waste water treatment, the Commission should develop a methodology for measuring microplastics

in urban waste water treated in accordance with Directive 91/271/EEC and reclaimed in accordance with this Regulation.

Justification

It is also worth mentioning here the request made by Parliament to the Commission on the occasion of the recast of the directive on the quality of water intended for human consumption, bearing in mind the position expressed by Parliament in its resolution of 13 September 2018 on a European strategy for plastics in the circular economy (see, in particular, paragraph 46).

Amendment 14

**Proposal for a regulation
Recital 7 b (new)**

Text proposed by the Commission

Amendment

(7b) The use of insufficiently clean waste water for public services, such as street cleaning or irrigation of parks and golf courses, can be harmful to health. The Commission should therefore set quality targets regarding the water reuse for public services with a view to protecting human and animal health and the quality of groundwater and surface water.

Amendment 15

**Proposal for a regulation
Recital 7 c (new)**

Text proposed by the Commission

Amendment

(7c) 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 16

Proposal for a regulation

Recital 7 d (new)

Text proposed by the Commission

Amendment

(7d) Water quality requirements should take account of experiments which have been carried out, particularly on the use in agriculture of sewage sludge and methanisation effluents.

Amendment 17

Proposal for a regulation

Recital 8

Text proposed by the Commission

Amendment

(8) The adherence to minimum requirements for water reuse should help support the achievement of the Sustainable Development Goals of the United Nations 2030 Agenda for Sustainable Development, in particular Goal 6, to ensure the availability and sustainable management of water and sanitation for all as well as a substantial increase in recycling and safe reuse ***of water*** globally. Furthermore, this Regulation seeks to ensure the application of Article 37 on environmental protection of the Charter of Fundamental Rights of the European Union.

(8) The adherence to minimum requirements for water reuse should ***be consistent with Union water policy and*** help support the achievement of the Sustainable Development Goals of the United Nations 2030 Agenda for Sustainable Development, in particular Goal 6, to ensure the availability and sustainable management of water and sanitation for all as well as a substantial increase in recycling ***of water*** and safe ***water*** reuse globally ***with a view to contributing to achieving United Nations Sustainable Development Goal 12, on sustainable consumption and production.*** Furthermore, this Regulation seeks to ensure the application of Article 37 on environmental protection of the Charter of Fundamental Rights of the European Union.

Amendment 18

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) *The quality requirements for water intended for human consumption are laid down in Directive (EU) .../... of the European Parliament and of the Council^{1a}. Member States should take appropriate measures to ensure that water resources used for drinking purposes are not contaminated with reclaimed water, in order to avoid deterioration in drinking water quality.*

^{1a} *Directive (EU) .../... on the quality of water intended for human consumption (OJ L ..., ..., p. ...).*

Amendment 19

Proposal for a regulation
Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) *In some cases, the reclamation facility operators still transport and store the reclaimed water beyond the outlet of the reclamation facility, prior to delivering the reclaimed water to the next actors in the chain, such as the reclaimed water distribution operator, the reclaimed water storage operator, or the end-user. It is necessary to define the point of compliance to clarify where the responsibility of the reclamation facility operator ends and where the responsibility of the next actor in the chain starts.*

Amendment 20

Proposal for a regulation

Recital 9

Text proposed by the Commission

(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.

Amendment

(9) Risk management should comprise identifying and managing risks in a proactive way and incorporate the concept of **production, distribution, storage and use of** reclaimed water of a quality required for particular uses. The risk assessment should be based on key risk management tasks **and on a thorough application of, inter alia, the precautionary principle**, and should identify any additional water quality requirements necessary to ensure sufficient protection of the environment, human and animal health. **Risk management should be a responsibility shared among all the relevant actors involved in the Water Reuse Risk Management Plan. The roles and responsibilities of the actors involved should be clearly specified in the Water Reuse Risk Management Plan. When granting a permit, the competent authority should be able to require further risk management measures to be carried out by the relevant actors involved in the Water Reuse Risk Management Plan.**

Amendment 21

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Cooperation and interaction between the various parties involved in the water reclamation process should be a precondition for setting up reclamation treatment procedures in accordance with the requirements for specific uses and in order to be able to plan the supply of reclaimed water in line with demand from

end-users.

Amendment 22

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, **including soil quality**, and human health, reclamation **facility** operators should be primarily responsible for the quality of reclaimed water **at the point of compliance**. For the purposes of compliance with the minimum requirements and any additional conditions, set by the competent authority, reclamation **facility** operators should monitor the quality of reclaimed water **in accordance with the minimum requirements and any additional conditions set by the competent authorities**. 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 23

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 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

Amendment

(11) It is necessary to ensure the safe **supply, storage and** use of reclaimed water, thereby encouraging **the development of** water reuse at Union level, **encouraging Union farmers in particular to adopt this practice** and enhancing public confidence in it. **The quantities of treated waste water used, its nature, the treatment**

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.

methods and its characteristics, regardless of how it is used, should be such that its handling, use and storage, including spraying, drip irrigation, stored or not, does not directly or indirectly affect human or animal health or the quality of soil and aquatic environments in the short, medium and long term. Supply ***and storage*** 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, ***the competent authorities of which 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 24

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Supply and storage of reclaimed water as well as its use by end-users constitute an integral part of the water reuse system. Within the process of supply and storage the reclaimed water can undergo changes that can negatively affect its chemical and biological quality. Reclaimed water should be appropriately used with respect to the classes of reclaimed water, the crops characteristics and irrigation methods. Key risk management tasks should take into account the potential adverse effects on health and environmental matrices

associated with the supply, storage and intended use of reclaimed water. In this respect the Commission should establish guidance documents to assist the competent authorities in carrying out the control and monitoring of the supply, storage and use of reclaimed water.

Amendment 25

Proposal for a regulation Recital 11 b (new)

Text proposed by the Commission

Amendment

(11 b) If a reclaimed water distribution operator and a reclaimed water storage operator are needed, any such operator should be subject to a permit. If all requirements for the permit 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 the purposes of safe distribution and storage of reclaimed water to the end-user.

Amendment 26

Proposal for a regulation Recital 12

Text proposed by the Commission

Amendment

(12) The provisions of this Regulation are complementary to the requirements of other Union legislation, in particular with regard to possible health and environmental risks. In order to ensure a holistic approach to addressing possible human *and* animal *health*, and *environmental* risks, *the reclamation plant operators and* the competent authorities should therefore *take into account* the requirements laid down in other relevant Union legislation, in particular Council Directives 86/278/EEC, 91/676/EEC²⁰ and

(12) The provisions of this Regulation are complementary to the requirements of other Union legislation, in particular with regard to possible health and environmental risks. In order to ensure a holistic approach to addressing possible human, animal and *plant health* risks *in addition to those relating to environmental protection, when applicable*, the competent authorities should therefore *comply with* the requirements laid down in other relevant Union legislation, in particular Council

98/83/EC²¹, Directives 91/271/EEC and 2000/60/EC, Regulations (EC) No 178/2002²², (EC) No 852/2004²³, (EC) No 183/2005²⁴, (EC) No 396/2005²⁵ and (EC) 1069/2009²⁶ of the European Parliament and of the Council, Directives 2006/7/EC²⁷, 2006/118/EC²⁸, 2008/105/EC²⁹ and 2011/92/EU³⁰ of the European Parliament and of the Council, Commission Regulations (EC) No 2073/2005³¹, (EC) No 1881/2006³² and (EC) 142/2011³³.

²⁰ Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1-8).

²¹ 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).

²² 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).

²³ 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).

²⁴ Regulation (EC) 183/2005 of the European Parliament and the Council of 12 January 2005 laying down requirements for feed hygiene (OJ L 35, 8.2.2005, p. 1).

²⁵ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70,

Directives 86/278/EEC, 91/676/EEC²⁰ and 98/83/EC²¹, Directives 91/271/EEC and 2000/60/EC, Regulations (EC) No 178/2002²², (EC) No 852/2004²³, (EC) No 183/2005²⁴, (EC) No 396/2005²⁵ and (EC) 1069/2009²⁶ of the European Parliament and of the Council, Directives 2006/7/EC²⁷, 2006/118/EC²⁸, 2008/105/EC²⁹ and 2011/92/EU³⁰ of the European Parliament and of the Council, Commission Regulations (EC) No 2073/2005³¹, (EC) No 1881/2006³² and (EC) 142/2011³³.

²⁰ Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1-8).

²¹ 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).

²² 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).

²³ 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).

²⁴ Regulation (EC) 183/2005 of the European Parliament and the Council of 12 January 2005 laying down requirements for feed hygiene (OJ L 35, 8.2.2005, p. 1).

²⁵ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70,

16.3.2005, p. 1)

²⁶ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1)

²⁷ Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37)

²⁸ Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (OJ L 372, 27.12.2006, p. 19).

²⁹ Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84).

³⁰ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

³¹ Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L338 22.12.2005, p.1)

³² Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants

16.3.2005, p. 1)

²⁶ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1)

²⁷ Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37)

²⁸ Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (OJ L 372, 27.12.2006, p. 19).

²⁹ Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84).

³⁰ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

³¹ Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L338 22.12.2005, p.1)

³² Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants

in foodstuffs (OJ L 364, 20.12.2006, p. 5)

³³ Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive Text with EEA relevance (OJ L 54, 26.2.2011, p. 1)

in foodstuffs (OJ L 364, 20.12.2006, p. 5)

³³ Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive Text with EEA relevance (OJ L 54, 26.2.2011, p. 1)

Amendment 27

Proposal for a regulation Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) For the purposes of this Regulation, it should be possible for treatment operations and urban waste water reclamation operations to take place in the same physical location, using the same facility, or different, separate facilities. In addition, it should be possible for the same actor to be both the treatment plant operator and the reclamation facility operator.

Amendment 28

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) With a view to a better promotion of water reuse operations, the indication of specific uses within this Regulation should not preclude Member States from allowing the use of reclaimed water for further purposes, including reuse for industrial, amenity-related and

environmental purposes, provided that Member States ensure compliance with the obligation to ensure a high level of protection of human and animal health and the environment.

Amendment 29

Proposal for a regulation Recital 14

Text proposed by the Commission

(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.

Amendment

(14) In order to encourage confidence in water reuse, information should be provided to the public. Making available of ***clear, comprehensive and updated*** 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. ***In order to encourage water reuse, Member States should ensure that information awareness-raising campaigns that are specific and adapted to the different actors concerned are developed, with a view to making those actors aware of the urban water cycle, the need to reuse water and the benefits deriving from water reuse, thereby promoting stakeholder acceptance of and involvement in water reuse practices.***

Amendment 30

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Education and training of the end-users involved in agricultural irrigation are of primary importance as components of implementing and maintaining preventive measures. End-users should be fully informed of the appropriate use of reclaimed water, as they are especially

vulnerable. A range of human exposure preventive measures should be implemented, such as use of personal protective equipment, handwashing and personal hygiene. The monitoring of the proper application of such measures should be a part of the key risk management tasks.

Amendment 31

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.

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

³⁷ OJ L 123, 12.5.2016, p. 1.

³⁷ OJ L 123, 12.5.2016, p. 1.

Amendment 32

Proposal for a regulation Recital 18

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) 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 **facilities** should immediately suspend any supply of the reclaimed water when non-compliance **exceeds specified maximum values, and as a result** causes a significant risk to the environment or to human health. **The competent authorities should work closely with end-users in order to facilitate the reuse of properly treated waste water. Competent authorities should control and monitor the supply, storage and use of the reclaimed water taking into account the relevant health and environment risks.**

Amendment 33

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 should 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 34

Proposal for a regulation Recital 25 b (new)

Text proposed by the Commission

Amendment

(25b) To protect the environment and human health effectively, Member States, in cooperation with stakeholders, should introduce checks on soil quality in the short, medium and long term.

Amendment 35

Proposal for a regulation Recital 25 c (new)

Text proposed by the Commission

Amendment

(25c) 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 36

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

Amendment

1. This Regulation lays down minimum requirements for water quality and monitoring and the obligation to carry out specified key risk management tasks, for the safe reuse of treated urban waste water in the context of integrated water

1. This Regulation lays down minimum requirements for ***reclaimed*** water quality and monitoring, and the obligation to carry out specified key risk management tasks, for the safe reuse of treated urban waste water in the context of integrated water management, ***and***

management.

contributes to the objectives set out in Directive 2000/60/EC.

Amendment 37

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 a high level of protection of human and animal health and the environment, *and at the same time reducing the adverse effects of the use of water resources and improving efficiency*, addressing water scarcity, *climate change issues and the environmental objectives of the Union*, and the resulting pressure on water resources in a coordinated way throughout the Union, thus contributing to the *deployment of sustainable water use solutions, supporting the transition to a circular economy, ensuring the long-term competitiveness of the Union and the* efficient functioning of the internal market.

Amendment 38

Proposal for a regulation

Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall ensure that water resources used for drinking water purposes are not contaminated with reclaimed water.

Amendment 39

Proposal for a regulation

Article 2

Text proposed by the Commission

Article 2

Scope

This Regulation shall apply to reclaimed water destined for a use specified in section 1 of Annex I.

Amendment

Article 2

Scope

This Regulation shall apply to reclaimed water destined for a use specified in section 1 of Annex I.

This Regulation shall not apply to pilot projects focusing on water reuse in reclamation plants.

Justification

Member States should have the flexibility to grant exemptions to facilitate research projects, in order to avoid that innovative ideas are blocked due to the obligations of this Regulation.

Amendment 40

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

3. 'end-user' means a natural or legal person who uses reclaimed water;

Amendment

3. 'end-user' means a natural or legal person, ***a public or private entity***, who uses reclaimed water ***for the use it is intended for***;

Amendment 41

Proposal for a regulation

Article 3 – paragraph 1 – point 4 a (new)

Text proposed by the Commission

Amendment

4a. 'treated waste water' means urban waste water that has been treated in compliance with the requirements set out in Directive 91/271/EEC;

Amendment 42

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 **treated** waste water which results from further treatment in a reclamation **facility that makes its quality suitable for the use it is intended for**;

Amendment 43

Proposal for a regulation

Article 3 – paragraph 1 – point 5 a (new)

Text proposed by the Commission

Amendment

5a. ‘water reuse’ means use of reclaimed water of a specific quality suitable for a use specified in Section 1 of Annex I, through a distribution system, thereby partially or wholly replacing the use of surface waters or groundwater;

Justification

It is necessary to define what is meant by water reuse.

Amendment 44

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 **a part of** an urban waste water treatment plant or other **facility** that further treats urban waste water **previously treated in accordance** 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 **and**

includes any storage infrastructure and any infrastructure designed to deliver the reclaimed water to the reclaimed water distribution infrastructure, or to the end-user;

Amendment 45

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**;

Amendment 46

Proposal for a regulation

Article 3 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

7a. ‘reclaimed water distribution infrastructure’ means a system of dedicated pipelines and pumps, or other dedicated transporting facilities, designed to deliver the reclaimed water to the end-user, including any facilities for equalisation, further treatment and storage, outside the reclamation facility;

Amendment 47

Proposal for a regulation

Article 3 – paragraph 1 – point 7 b (new)

Text proposed by the Commission

Amendment

7b. ‘reclaimed water distribution operator’ means a natural or legal person which operates or controls the reclaimed water distribution infrastructure;

Amendment 48

Proposal for a regulation

Article 3 – paragraph 1 – point 7 c (new)

Text proposed by the Commission

Amendment

7c. ‘reclaimed water storage infrastructure’ means a system of dedicated storage facilities designed to store the reclaimed water;

Amendment 49

Proposal for a regulation

Article 3 – paragraph 1 – point 7 d (new)

Text proposed by the Commission

Amendment

7d. ‘reclaimed water storage operator’ means a natural or legal person that operates or controls reclaimed water storage infrastructure;

Amendment 50

Proposal for a regulation

Article 3 – paragraph 1 – point 11

Text proposed by the Commission

Amendment

11. ‘preventive measure’ means **any** action or activity that can be used to prevent or eliminate a health and environmental risk, or reduce it to an acceptable level.

11. ‘preventive measure’ means **appropriate** action or activity that can be used to prevent or eliminate a health and environmental risk, or reduce it to an acceptable level;

Amendment 51

Proposal for a regulation

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

Text proposed by the Commission

Amendment

11a. ‘point of compliance’ means the point where a reclamation facility operator delivers the reclaimed water to

the next actor in the chain;

Amendment 52

Proposal for a regulation Article 3 – paragraph 1 – point 11 b (new)

Text proposed by the Commission

Amendment

11b. ‘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 53

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 54

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

Amendment

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:

- (a) the minimum requirements for water quality laid down in Section 2 of Annex I;
- (b) any additional conditions set by the competent authority in the relevant permit pursuant to points (b) and (c) of Article

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

- (a) the minimum requirements for water quality laid down in Section 2 of Annex I;
- (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.

7(3), as regards water quality.

Amendment 55

Proposal for a regulation

Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Reclamation facility operators shall also ensure that at least the risk management measures set out in the Water Reuse Risk Management Plan referred to in paragraph -1 of Article 5 are fully implemented within the reclamation facility.

Amendment 56

Proposal for a regulation

Article 4 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. After the point of compliance, the quality of water shall no longer be the responsibility of the reclamation facility operator, and shall become the responsibility of the next actor in the chain.

Amendment 57

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission is empowered to adopt delegated acts amending this Regulation in accordance with Article 14 in order to adapt to technical and scientific progress the minimum requirements set out in Section 2 of Annex I.

deleted

Amendment 58

Proposal for a regulation Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

Obligations of reclaimed water distribution operators, reclaimed water storage operators and end-users

1. The reclaimed water distribution operator shall maintain the level of quality of reclaimed water within the reclaimed water distribution infrastructure at least at the same level of quality as that laid down in Section 2 of Annex I. The reclaimed water distribution operator shall also ensure that at least the risk management measures set out in the Water Reuse Risk Management Plan referred to in paragraph -1 of Article 5 are fully implemented within the reclaimed water distribution infrastructure.

When granting a permit in accordance with Article 7, the competent authority may require further risk management measures to be taken as regards tasks to be carried out by the reclaimed water distribution operator and specify additional requirements and preventive measures needed in accordance with points (b) and (c) of Annex II.

2. The reclaimed water storage operator shall maintain the level of quality of the reclaimed water within the reclaimed water storage infrastructure at least at the same level of quality as that laid down in Section 2 of Annex I. The reclaimed water storage operator shall also ensure that at least the risk management measures set out in the Water Reuse Risk Management Plan referred to in paragraph -1 of Article 5

are fully implemented within the reclaimed water storage infrastructure.

When granting a permit in accordance with Article 7, the competent authority may require further risk management measures to be taken as regards tasks to be carried out by the reclaimed water storage operator and specify additional requirements and preventive measures needed in accordance with points (b) and (c) of Annex II.

3. Reclaimed water used by end-users shall be at least of the quality level set out in Section 2 of Annex I. The competent authority may provide for further requirements as regards obligations upon end-users in addition to those set out in Section 2 of Annex I.

4. The Commission shall establish guidance documents to assist the competent authorities in the implementation of the requirements relating to control and monitoring of the production, distribution, storage and use of the reclaimed water.

Amendment 59

Proposal for a regulation Article 5 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. The reclamation facility operator shall, in cooperation with the relevant actors referred to in paragraph 1 of this Article, draw-up a Water Reuse Risk Management Plan. The Water Reuse Risk Management Plan shall be based on the key risk management tasks set out in point (a) of Annex II, set out any requirements additional to those specified in Annex I in accordance with point (b) of Annex II, and shall identify hazards, risks and appropriate preventive measures in accordance with point (c) of Annex II.

Amendment 60

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

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:

Amendment

1. For the purpose of ***ensuring safe production, distribution, storage and use*** of reclaimed water, ***the competent authority shall oversee risk management*** in consultation with the following actors:

Amendment 61

Proposal for a regulation

Article 5 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

(a) the operator of the urban waste water treatment plant(s) supplying a reclamation ***facility with treated waste water in accordance with the quality requirement set out in Directive 91/271/EEC*** if different from the reclamation ***facility*** operator;

Amendment 62

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(aa) the reclamation facility operator;

Amendment 63

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ab) the reclaimed water distribution operator;

Amendment 64

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ac) the reclaimed water storage operator;

Amendment 65

Proposal for a regulation

Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

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

(c) any other party deemed relevant by the **competent authority**.

Amendment 66

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

Amendment

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**

2. The reclamation **facility** operator, **the reclaimed water distribution operator and the reclaimed water storage operator shall carry out at least the risk management tasks defined in the Water Reuse Risk Management Plan referred to in paragraph -1. Risk management methods used by the reclamation facility operator, the reclaimed water distribution**

appropriate preventive measures.

operator and the reclaimed water storage operator shall be based on internationally recognised methodologies.

Amendment 67

Proposal for a regulation Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. In the relevant permit granted in accordance with Article 7, the competent authority may specify different tasks and responsibilities for the different actors involved in the Water Reuse Risk Management Plan.

Amendment 68

Proposal for a regulation Article 5 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. If the type of crop to be irrigated is to be marketed in several different forms and falls into several different reclaimed water quality classes, the reclamation facility operator shall be required to provide the farmer with water corresponding to the highest of the quality classes concerned.

Amendment 69

Proposal for a regulation Article 5 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission is empowered to adopt, in accordance with Article 14, delegated acts amending this Regulation in order to adapt to technical and scientific progress the key risk management tasks set out in

deleted

Annex II.

Amendment 70

**Proposal for a regulation
Article 5 – paragraph 3 – subparagraph 2**

Text proposed by the Commission

The Commission is *also* empowered to adopt, in accordance with Article 14, delegated acts supplementing this Regulation in order to lay down technical specifications of the key risk management tasks set out in Annex II.

Amendment

The Commission is empowered to adopt, in accordance with Article 14, delegated acts supplementing this Regulation in order to lay down technical specifications of the key risk management tasks set out in Annex II.

Amendment 71

**Proposal for a regulation
Article 5 – paragraph 3 a (new)**

Text proposed by the Commission

Amendment

3a. If an end-user suspects that the water stored as provided for in Article 4a(2) does not meet meets the minimum requirements laid down in this Regulation, she or he shall:

(a) inform immediately the health authority concerned and provide it, if appropriate, with all information available;

(b) cooperate fully with the competent authority concerned in order to verify and determine the grounds for suspicion and the possible presence of unauthorised substances or values as referred to in Tables 2 and 4 of Section 2 of Annex I.

Amendment 72

Proposal for a regulation

Article 6 – title

Text proposed by the Commission

Application for a permit to **supply** reclaimed water

Amendment

Application for a permit to **produce, distribute and store** reclaimed water

Amendment 73

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. Any **supply** of reclaimed water destined for a use specified in section 1 of Annex I, shall be subject to a permit.

Amendment

1. Any **production, distribution or storage** of reclaimed water destined for a use specified in section 1 of Annex I, shall be subject to a permit.

Amendment 74

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

2. **An** operator shall submit an application for the permit referred to in paragraph 1, or for a modification of an existing permit to the competent authority of the Member State in which the reclamation **plant** operates or is planned to operate.

Amendment

2. **A reclamation facility** operator shall submit an application for the permit referred to in paragraph 1, or for a modification of an existing permit, to the competent authority of the Member State in which the reclamation **facility** operates or is planned to operate.

Amendment 75

Proposal for a regulation

Article 6 – paragraph 3 – point a

Text proposed by the Commission

(a) a Water Reuse Risk Management Plan drawn up in accordance with Article

Amendment

(a) a Water Reuse Risk Management Plan drawn up in accordance with

5(2);

paragraph -1 of Article 5;

Amendment 76

Proposal for a regulation

Article 6 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the latest available data demonstrating the compliance of treated waste water within the meaning of Directive 1991/271/EEC at the waste water treatment plant from which the water to be recovered originates;

Justification

The operator of the recovery facility (which may be different from the treatment plant operator) should demonstrate that the water to be recovered for which authorisation is sought, has been treated in a manner consistent with the requirements applicable to the urban area served by the sewage treatment plant from which it is taken. Such water must in all events be subject to secondary/equivalent or more stringent treatment if the treatment plant from which the water originates is normally discharged into sensitive areas.

Amendment 77

Proposal for a regulation

Article 6 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) description of how the reclamation **plant** operator will comply with the minimum requirements for water quality and monitoring set out in section 2 of Annex I;

(b) a description of how the reclamation **facility** operator will comply **at the point of compliance** with the minimum requirements for water quality and monitoring set out in section 2 of Annex I;

Amendment 78

Proposal for a regulation

Article 6 – paragraph 3 – point c

Text proposed by the Commission

Amendment

(c) a description of how the

(c) a description of how the

reclamation *plant* operator will comply with the additional requirements proposed in the Water Reuse Risk Management Plan.

reclamation *facility* operator will comply *at the point of compliance* with the additional requirements proposed in the Water Reuse Risk Management Plan.

Amendment 79

Proposal for a regulation Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. *A reclaimed water distribution operator shall submit an application for the permit referred to in paragraph 1, or for a modification of an existing permit, to the competent authority of the Member State in which the reclaimed water distribution infrastructure operates or is planned to operate. The application shall include a description of how the reclaimed water distribution operator is to comply with the obligations laid down in paragraph 1 of Article 4a.*

Amendment 80

Proposal for a regulation Article 6 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. *A reclaimed water storage operator shall submit an application for the permit referred to in paragraph 1, or for a modification of an existing permit, to the competent authority of the Member State in which the reclaimed water storage infrastructure operates or is planned to operate. The application shall include a description of how the reclaimed water storage operator is to comply with the obligations laid down in paragraph 2 of Article 4a.*

Amendment 81

Proposal for a regulation

Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) other relevant authorities of the same Member State, in particular the water **authority**, if different than the competent authority;

Amendment

(a) other relevant authorities of the same Member State, in particular the water **and health authorities**, if different than the competent authority;

Amendment 82

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

2. The competent authority shall decide within 3 months from the receipt of the complete application as referred to in **point (a) of Article 6(3)** whether to grant the permit. Where the competent authority needs more time due to the complexity of the application, it shall inform the applicant thereof, indicate the expected date of granting the permit and provide reasons for the extension.

Amendment

2. The competent authority shall **assess the application, having recourse to appropriate scientific assistance, and** decide within 3 months from the receipt of the complete application as referred to in **paragraphs 2, 3, 3a and 3b of Article 6** whether to grant **or refuse** the permit. Where the competent authority needs more time due to the complexity of the application, it shall inform **without delay** the applicant thereof **and** indicate the expected date of granting **or refusing** the permit and provide reasons for the extension. **The competent authority shall, in any case, take a decision no later than six months from the receipt of the complete application as referred to in paragraphs 2, 3, 3a and 3b of Article 6.**

Amendment 83

Proposal for a regulation

Article 7 – paragraph 3 – point c

Text proposed by the Commission

(c) any other conditions necessary to further **mitigate** any unacceptable risks to

Amendment

(c) any other conditions necessary to further **eliminate** any unacceptable risks to

the human and animal health or the environment.

the human and animal health or the environment.

Amendment 84

Proposal for a regulation

Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. If conditions equivalent to those referred to in points (a) to (c) of paragraph 3 are not already included in the Water Reuse Risk Management Plan referred to in Article 5, the competent authority shall update the plan without delay.

Justification

If the additional requirements are not included in the management plan drafted by the authority but are laid down at the time of granting the permit, the authority must immediately add them to the risk management plan.

Amendment 85

Proposal for a regulation

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

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:

1. The competent authority shall verify compliance of the reclaimed water with the conditions set out in the **permits granted in accordance with Article 7**. The compliance check shall be performed using the following means:

Amendment 86

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. In the event of non-compliance, the

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**.

competent authority shall require the reclamation **facility** operator, **the reclaimed water distribution operator, or the reclaimed water storage operator, as applicable**, to take any necessary measures to **promptly** restore compliance **and immediately inform the end-users affected**.

Amendment 87

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

3. Where **the individual value of any parameter exceeds the minimum water quality requirements set out in point (a) of Section 2 of Annex I**, the reclamation **facility** operator shall immediately suspend any further supply of the reclaimed water. **The competent authority may determine that compliance has been restored only after the individual value of the parameter, or parameters, exceeding the relevant minimum water quality requirements has been found below the maximum permitted value in at least three consecutive checks**.

Amendment 88

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

Amendment

4. If an incident affecting compliance with the permit's conditions occurs, the reclamation **facility** operator, **the reclaimed water distribution operator or the reclaimed water storage operator, as applicable**, shall immediately inform the competent authority and the end-user(s) which may be potentially affected, and communicate to the competent authority

an incident.

the information necessary for assessing the impacts of such an incident.

Amendment 89

Proposal for a regulation

Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. After granting a permit in accordance with Article 7, the competent authority shall regularly verify compliance by the reclamation facility operator, the reclaimed water distribution operator and the reclaimed water storage operator, with the measures set out in the Water Reuse Risk Management Plan.

Amendment 90

Proposal for a regulation

Article 8 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. In the event of contamination of soil or agricultural products by reclaimed water resulting in health and environmental hazards, the reclamation facility operator responsible shall be held responsible and liable for damages.

Justification

Acceptance by the water supplier of responsibility and liability for damages as a result of inappropriate reclamation methods is essential to promote the increased use of reclaimed water.

Amendment 91

Proposal for a regulation
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

**Information awareness-raising
campaigns**

Member States shall set up information and awareness raising campaigns targeting potential end-users, including citizens, and concerning the safety of water reuse and the savings of water resources resulting from water reuse.

Member States shall also set up information campaigns for farmers to ensure that they use reclaimed water on crops in an optimal manner, and thereby avoid any adverse health or environmental effects from such use.

Amendment 92

Proposal for a regulation
Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, Member States shall ensure that adequate **and** up-to-date information on reuse **of water** is available online to the public. That information shall include the following:

1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, **and to Article 9(4) of Directive 2000/60/EC**, Member States shall ensure that adequate, up-to-date **and accessible** information on **water** reuse is available online to the public **or through other easy-to-use methods, complying with data protection rules**. That information shall include the following:

Justification

The information available to the public must be adequate, up-to-date and accessible in order to enable citizens to be fully informed.

Amendment 93

Proposal for a regulation

Article 10 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) use of reclaimed water as a percentage of total freshwater used for the uses covered by this Regulation;

Justification

One of the items of information to which citizens can have access must be the reclaimed water, as a percentage of total freshwater, used for the purposes of this Regulation.

Amendment 94

Proposal for a regulation

Article 10 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the percentage of the reclaimed water in the Member State supplied in accordance with this Regulation compared to the total amount of treatable urban waste water;

Amendment 95

Proposal for a regulation

Article 10 – paragraph 2 a (new)

Text proposed by the Commission

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 shall inform users of the maximum nutrient content of the properly treated waste water supplied, so that users, including farmers, can satisfy themselves

that it is in compliance with the nutrient levels laid down by the relevant Union rules.

Amendment 96

Proposal for a regulation Article 10 – paragraph 3

Text proposed by the Commission

Amendment

3. *The Commission may, by means of implementing acts, lay down detailed rules regarding the format and presentation of the information to be provided under paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15.* **deleted**

Amendment 97

Proposal for a regulation Article 11 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) set up and publish by ... [**three** years after the date of entry into force of this Regulation], and update every 6 years thereafter, a data set containing information on the outcome of the compliance check performed in accordance with Article 8(1) and other information to be made available online to the public in accordance with Article 10;

(a) set up and publish by ... [**four** years after the date of entry into force of this Regulation], and update every 6 years thereafter, a data set containing information on the outcome of the compliance check performed in accordance with Article 8(1) and other information to be made available online to the public in accordance with Article 10;

Amendment 98

Proposal for a regulation Article 13 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The Commission shall, by ... [**6** years after the date of entry into force of

1. The Commission shall, by ... [**five** years after the date of entry into force of

this Regulation], carry out an evaluation of this Regulation. The evaluation shall be based at least on the following elements:

this Regulation], carry out an evaluation of this Regulation. The evaluation shall be based at least on the following elements:

Amendment 99

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 100

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 101

Proposal for a regulation

Article 13 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. As part of the evaluation referred to in paragraph 1, the Commission shall assess the feasibility of:

(a) extending the scope of this Regulation to reclaimed water intended for further specific uses, including reuse for industrial purposes;

(b) expanding the requirements of this Regulation to cover the indirect use of treated waste water;

(c) laying down minimum requirements applicable to the quality of treated waste water for the purpose of aquifer recharge.

Amendment 102

Proposal for a regulation Article 13 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Where appropriate, the Commission shall accompany the evaluation referred to in paragraph 1 with a legislative proposal.

Amendment 103

Proposal for a regulation Article 16

Text proposed by the Commission

Amendment

Article 16
Penalties

Article 16
Penalties

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, by ... [**three** years after the date of entry into force of this Regulation], notify the Commission of those rules and of those measures and shall notify it of any subsequent amendment affecting them.

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, by ... [**four** years after the date of entry into force of this Regulation], notify the Commission of those rules and of those measures and shall notify it of any subsequent amendment affecting them.

Amendment 104

Proposal for a regulation

Article 17

Text proposed by the Commission

Article 17

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Amendment

Article 17

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Amendment 105

Proposal for a regulation

Annex I – section 1

Text proposed by the Commission

Section 1. Uses of reclaimed water as referred to in Article 2

(a) Agricultural irrigation

Agricultural irrigation means irrigation of the following types of crops:

— food crops consumed raw, meaning crops which are intended for human consumption to be eaten raw or unprocessed;

— processed food crops, meaning crops which are intended for human consumption not to be eaten raw but after a treatment process (i.e. cooked, industrially processed);

— non-food crops, meaning crops which are not intended for human consumption (e.g. pastures, forage, fiber, ornamental, seed, energy and turf crops).

Amendment

Section 1. Uses of reclaimed water as referred to in Article 2

(a) Agricultural irrigation

Agricultural irrigation means irrigation of the following types of crops:

— food crops consumed raw, meaning crops which are intended for human consumption to be eaten raw or unprocessed;

— processed food crops, meaning crops which are intended for human consumption not to be eaten raw but after a treatment process (i.e. cooked, industrially processed);

— non-food crops, meaning crops which are not intended for human consumption (e.g. pastures, forage, fiber, ornamental, seed, energy and turf crops).

Without prejudice to the relevant Union law in the fields of environment and health, Member States may use reclaimed water for further uses such as industrial water reuse and for amenity-related and environmental purposes.

Amendment 106

Proposal for a regulation

Annex I – section 2 – point 2.1 – introductory part

Text proposed by the Commission

Amendment

2.1. Minimum requirements applicable to reclaimed water ***destined to be used*** for agricultural irrigation

2.1. Minimum requirements applicable to reclaimed water ***intended*** for agricultural irrigation

Amendment 107

Proposal for a regulation

Annex I – section 2 – point 2.1 – table 1

Text proposed by the Commission

Minimum reclaimed water quality class	Crop category	Irrigation method
A	All food crops, including root crops consumed raw and food crops where the edible part is in direct contact with reclaimed water	All irrigation methods
B	Food crops consumed raw where the edible part is produced above ground and is not in direct contact with reclaimed water, processed food crops and non-food crops including crops to feed milk- or meat-producing animals	All irrigation methods
C		<i>Drip irrigation* only</i>
D	Industrial, energy, and seeded crops	All irrigation methods

(*) Drip irrigation (also called trickle irrigation) is a micro-irrigation system capable of delivering water drops or tiny streams to the plants and involves dripping water onto the soil or directly under its surface at very low rates (2-20 litres/hour) from a system of small diameter plastic pipes fitted with outlets called emitters or drippers.

Amendment

Minimum reclaimed water quality class	Crop category	Irrigation method
A	All food crops, including root crops consumed raw and food crops where the edible part is in direct contact with reclaimed water	All irrigation methods
B	Food crops consumed raw where the edible part is produced above ground and is not in direct contact with reclaimed water, processed food crops and non-food crops including crops to feed milk- or meat-producing animals	All irrigation methods
C		<i>Only irrigation methods that do not lead to direct contact between the crop and the reclaimed water. For example, drip irrigation*.</i>
D	Industrial, energy, and seeded crops	All irrigation methods

(*) Drip irrigation (also called trickle irrigation) is a micro-irrigation system capable of delivering water drops or tiny streams to the plants and involves dripping water onto the soil or directly under its surface at very low rates (2-20 litres/hour) from a system of small diameter plastic pipes fitted with outlets called emitters or drippers.

Justification

Amendment is needed to allow for more innovation in irrigation methods that are more efficient

Amendment 108

Proposal for a regulation

Annex I – section 2 – point 2.1 – point a – table 2

Text proposed by the Commission

Reclaimed water quality	Indicative <i>technology target</i>	<i>Quality requirements</i>

class		E. coli (cfu/100 ml)	BOD ₅ (mg/l)	TSS (mg/l)	Turbidity (NTU)	Other
A	Secondary treatment, filtration, and disinfection	≤10 or below detection limit	≤10	≤10	≤5	Legionella spp.: <1,000 cfu/l where there is risk of aerosolization in greenhouses
B	Secondary treatment, and disinfection	≤100	According to Council Directive 91/271/EEC ¹ (Annex I, Table 1)	According to Council Directive 91/271/EEC (Annex I, Table 1)	-	Intestinal nematodes (helminth eggs): ≤1 egg/l for irrigation of pastures or forage
C	Secondary treatment, and disinfection	≤1 000			-	
D	Secondary treatment, and disinfection	≤10 000			-	

¹ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (OJ L 135, 30.5.1991, p. 40).

Amendment

Reclaimed water quality class	Indicative <i>appropriate treatment</i>	<i>Limit value</i>				
		E. coli (cfu/100 ml)	BOD ₅ (mg/l)	TSS (mg/l)	Turbidity (NTU)	Other
A	Secondary treatment, filtration, and disinfection	≤10 or below detection limit	≤10	≤10	≤5	Legionella spp.: <1,000 cfu/l where there is risk of aerosolization in
B	Secondary treatment, and disinfection	≤100	According to Council Directive 91/271/EEC ¹ (Annex I, Table 1)	According to Council Directive 91/271/EEC (Annex I, Table 1)	-	
C	Secondary treatment, and disinfection	≤1 000			-	

D	disinfection Secondary treatment, and disinfection	≤10 000	1)	ve 91/271 /EEC (Anne x I, Table 1)	-	greenhou ses Intestinal nematode s (helminth eggs): ≤1 egg/l for irrigation of pastures or forage Salmonel la: absent
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¹ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (OJ L 135, 30.5.1991, p. 40).

Amendment 109

Proposal for a regulation

Annex I – section 2 – point 2.1 – point a – paragraph 1 – indent 1

Text proposed by the Commission

- The indicated values for E. coli, Legionella spp and Intestinal nematodes are met in 90 % or more of the samples. None of the values of the samples can exceed the maximum deviation limit of 1 log unit from the indicated value for E. coli and Legionella and 100 % of the indicated value for intestinal nematodes.

Amendment

- The indicated values for E. coli, Legionella spp and Intestinal nematodes are met in 90 % or more of the samples. None of the **maximum** values of the samples can exceed the maximum deviation limit of 1 log unit from the indicated value for E. coli and Legionella and 100 % of the indicated value for intestinal nematodes. ***The requirement to ensure that there is an absence of salmonella shall apply to 100% of samples.***

Justification

It is necessary to set maximum values for the reference parameters above which the reclamation plant operator must suspend supply of reclaimed water.

Amendment 110

Proposal for a regulation

Annex I – section 2 – point 2.1 – point a – paragraph 1 – indent 2

Text proposed by the Commission

- The indicated values for BOD₅, TSS, and turbidity in Class A are met in 90 % or more of the samples. None of the values of the samples can exceed the maximum deviation limit of 100 % of the indicated value.

Amendment

- The indicated values for BOD₅, TSS, and turbidity in Class A are met in 90 % or more of the samples. None of the **maximum** values of the samples can exceed the maximum deviation limit of 100 % of the indicated value.

Justification

It is necessary to set maximum values for the reference parameters above which the reclamation plant operator must suspend supply of reclaimed water.

Amendment 111

Proposal for a regulation

Annex I – section 2 – point 2.1 – point b – paragraph 1

Text proposed by the Commission

Reclamation **plant** operators shall perform routine monitoring to verify that the reclaimed water is complying with the minimum water quality requirements set out in point (a). The routine monitoring shall be included in the verification procedures of the water reuse **system**.

Amendment

Reclamation **facility** operators shall perform routine monitoring to verify that the reclaimed water is complying with the minimum water quality requirements set out in point (a). The routine monitoring shall be included in the verification procedures of the water reuse **project**.

Amendment 112

Proposal for a regulation

Annex I – section 2 – point 2.1 – point b – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The samples to be used to verify compliance with the microbiological parameters at the point of compliance shall be taken in accordance with standard EN ISO 19458.

Justification

This amendment inserts the same ISO standard as in the Drinking Water Directive for the sampling of microbiological parameters for the purposes of verification.

Amendment 113

Proposal for a regulation

Annex I – section 2 – point 2.1 – point b – paragraph 2

Text proposed by the Commission

Validation monitoring has to be performed before the reclamation *plant* is put into operation, when equipment is upgraded, and when new equipment or processes are added.

Amendment

Validation monitoring has to be performed before the reclamation *facility* is put into operation, when equipment is upgraded, when new equipment or processes are added, ***and at any time when a new permit is granted or an existing permit is modified.***

Justification

Validation monitoring of a reclamation plant must also take place at any time that a new permit is granted or an existing permit is modified.

Amendment 114

Proposal for a regulation

Annex I – section 2 – point 2.1 – point b – paragraph 3

Text proposed by the Commission

Validation monitoring shall be performed for the most stringent reclaimed water quality class, Class A, to assess that the performance targets (\log_{10} reduction) are complied with. Validation monitoring entails the monitoring of the indicator microorganisms associated to each group of pathogens (bacteria, virus and protozoa). The indicator microorganisms selected are *E. coli* for pathogenic bacteria, F-specific coliphages, somatic coliphages or coliphages for pathogenic viruses, and *Clostridium perfringens* spores or spore-forming sulfate-reducing bacteria for protozoa. Performance targets (\log_{10}

Amendment

Validation monitoring shall be performed for the most stringent reclaimed water quality class, Class A, to assess that the performance targets (\log_{10} reduction) are complied with. Validation monitoring entails the monitoring of the indicator microorganisms associated to each group of pathogens (bacteria, virus and protozoa). The indicator microorganisms selected are *E. coli* for pathogenic bacteria, F-specific coliphages, somatic coliphages or coliphages for pathogenic viruses, and *Clostridium perfringens* spores or spore-forming sulfate-reducing bacteria for protozoa. Performance targets (\log_{10}

reduction) for the validation monitoring for the selected indicator microorganisms are set out in Table 4 and shall be met at the outlet of the reclamation **plant (point of compliance)**, considering the concentrations of the raw waste water effluent entering the urban waste water treatment plant.

reduction) for the validation monitoring for the selected indicator microorganisms are set out in Table 4 and shall be met at the outlet of the reclamation **facility**, considering the concentrations of the raw waste water effluent entering the urban waste water treatment plant. **At least 90 % of validation samples shall reach or exceed the performance target.**

Amendment 115

Proposal for a regulation

Annex I – section 2 – point 2.1 – point b – paragraph 3 a (new)

Text proposed by the Commission

Amendment

If a biological indicator is not present in sufficient quantity in raw waste water to achieve the log₁₀ reduction, the absence of such biological indicator in the effluent shall mean that the validation requirements have to be complied with. The performance with the compliance target may be established by analytical control, by addition of the performance granted to individual treatment steps based on scientific evidence for standard well-established processes, such as published data of testing reports, case studies etc., or tested in laboratory under controlled conditions for innovative treatment.

Amendment 116

Proposal for a regulation

Annex I – section 2 – point 2.1 – point b – table 4 – footnote 1

Text proposed by the Commission

Amendment

(*) The reference pathogens Campylobacter, Rotavirus and Cryptosporidium can also be used for validation monitoring purposes instead of the proposed indicator microorganisms. The following log₁₀ reduction performance

(*) The reference pathogens Campylobacter, Rotavirus and Cryptosporidium can also be used for validation monitoring purposes instead of the proposed indicator microorganisms. The following log₁₀ reduction performance

targets should then apply: Campylobacter (≥ 5.0), Rotavirus (≥ 6.0) and Cryptosporidium (≥ 5.0).

targets should then apply: Campylobacter (≥ 5.0), Rotavirus (≥ 6.0) and Cryptosporidium (≥ 5.0). ***The national health authority may lay down further indicators relating to the specific case, when there is evidence of a need to ensure that there is a high level of protection of human and animal health and the environment.***

Amendment 117

Proposal for a regulation

Annex I – section 2 – point 2.1 – point b – table 4 – footnote 2

Text proposed by the Commission

(**) Total coliphages is selected as the most appropriate viral indicator. However, if analysis of total coliphages is not feasible, at least one of them (F-specific or somatic coliphages) has to be analyzed.

Amendment

(**) Total coliphages is selected as the most appropriate viral indicator. However, if analysis of total coliphages is not feasible, at least one of them (F-specific or somatic coliphages) has to be analyzed. ***If total coliphages are not present in sufficient quantity in raw waste water effluent, the compliance with the performance target may be established by addition of the performance granted to individual treatment steps based on scientific evidence for standard well-established processes, such as published data of testing reports, case studies etc., or tested in laboratory under controlled conditions for innovative treatment.***

Amendment 118

Proposal for a regulation

Annex I – section 2 – point 2.1 – point b – table 4 – footnote 3

Text proposed by the Commission

(***) Clostridium perfringens spores is selected as the most appropriate protozoa indicator. However sporeforming sulfate-reducing bacteria is an alternative if the concentration of Clostridium perfringens spores does not allow to validate the

Amendment

(***) Clostridium perfringens spores is selected as the most appropriate protozoa indicator. However sporeforming sulfate-reducing bacteria is an alternative if the concentration of Clostridium perfringens spores does not allow to validate the

requested log10 removal.

requested log10 removal. *If Clostridium perfringens are not present in sufficient quantity in raw waste water effluent, the compliance with the performance target may be established by addition of the performance granted to individual treatment steps based on scientific evidence for standard well-established processes, such as published data of testing reports, case studies etc, or tested in laboratory under controlled conditions for innovative treatment.*

Amendment 119

Proposal for a regulation

Annex I – section 2 – point 2.1 – point b – paragraph 4

Text proposed by the Commission

Methods of analysis for monitoring shall be validated and documented by the operator in accordance with EN ISO/IEC-17025 or other national or international standards which ensure an equivalent quality.

Amendment

Methods of analysis for monitoring shall be validated and documented by the operator in accordance with EN ISO/IEC-17025 or other national or international standards which ensure an equivalent quality. *The reclamation plant operator shall ensure that the laboratories selected for the validation monitoring implement quality management practices in accordance with standard ISO/IEC 17025.*

Justification

This amendment inserts the same ISO standard as in the Drinking Water Directive for the laboratories selected for to carry out validation monitoring.

Amendment 120

Proposal for a regulation

Annex II – title

Text proposed by the Commission

Key risk management tasks

Amendment

(a) Key risk management tasks

Amendment 121

Proposal for a regulation Annex II – point -1 (new)

Text proposed by the Commission

Amendment

-1. Conduct a feasibility analysis of the planned reclamation facility that takes into consideration at least the development costs of the facility in relation to regional demand for reclaimed water, the potential end-users and the facility's treated waste water requirements, and assesses the quality of the treated waste water entering the facility.

Amendment 122

Proposal for a regulation Annex II – point 3

Text proposed by the Commission

Amendment

3. Identify the environments, populations and individuals at risk of direct or indirect exposure to the identified potential hazards, taking into account specific environmental factors such as local hydrogeology, topology, soil type and ecology, and factors related to the type of crops and farming practices. Possible irreversible or long-term negative effects of the water reclamation operation have to be considered as well.

3. Identify the environments, populations and individuals at risk of direct or indirect exposure to the identified potential hazards, taking into account specific environmental factors such as local hydrogeology, topology, soil type and ecology, and factors related to the type of crops and farming practices. **The health risks assessment, including hazard identification, dose-response, exposure assessment and risk characterisation, shall be taken into consideration throughout the stages of the waste water reuse system.** Possible irreversible or long-term negative **environmental or health effects, including the potential negative impacts on ecological flows**, of the water reclamation operation, **such as distribution, storage and use**, have to be considered as well.

Amendment 123

Proposal for a regulation
Annex II – point 4

Text proposed by the Commission

4. Conduct a risk assessment covering both environmental risks and risks to human and animal health, taking into account the nature of the identified potential hazards, the identified environments, populations and individuals at risk of exposure to those hazards and the severity of possible effects of the hazards, as well as all relevant Union and national legislation, guidance documents and minimum requirements in relation to food and feed and worker safety. Scientific uncertainty in risk characterisation shall be addressed in accordance with the precautionary principle.

Amendment

4. Conduct a risk assessment covering both environmental risks and risks to human and animal health, taking into account the nature of the identified potential hazards, the identified environments, populations and individuals at risk of exposure to those hazards and the severity of possible effects of the hazards, as well as all relevant Union and national legislation, guidance documents and minimum requirements in relation to food and feed and worker safety **and environmental objectives. Qualitative studies may be used for the purposes of the risk assessment.** Scientific uncertainty in risk characterisation shall be addressed in accordance with the precautionary principle.

Amendment 124

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

Text proposed by the Commission

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

Amendment

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

Amendment 125

Proposal for a regulation
Annex II – point 4 – subparagraph 3 – introductory part

Text proposed by the Commission

The following requirements and obligations shall, as a minimum, be **taken into account** in the risk assessment:

Amendment

The following requirements and obligations shall, as a minimum, be **complied with** in the risk assessment:

Amendment 126

Proposal for a regulation Annex II – point b (new)

Text proposed by the Commission

Amendment

(b) Conditions relating to the additional requirements

(To be inserted before point 5.)

Amendment 127

Proposal for a regulation Annex II – point 5

Text proposed by the Commission

Amendment

5. When necessary and appropriate to ensure **sufficient** protection of the environment and human health, specify requirements for water quality and monitoring that are additional to and/or stricter than those specified in Annex I.

Depending on the outcome of the risk assessment referred to in point 4, such additional requirements may in particular concern:

- (a) heavy metals;
- (b) pesticides;
- (c) disinfection by-products;
- (d) pharmaceuticals;
- (e) other **substances of emerging concern**;
- (f) anti-microbial resistance.

5. When necessary and appropriate to ensure **adequate** protection of the environment and human health, specify requirements for water quality and monitoring that are additional to and/or stricter than those specified in Annex I.

Such additional requirements may in particular concern:

- (a) heavy metals;
- (b) pesticides;
- (c) disinfection by-products;
- (d) pharmaceuticals;
- (da) the presence of microplastics;**
- (e) other **pollutants that have emerged as significant from environmental and public health analyses carried out at local level**;
- (f) anti-microbial resistance.

Amendment 128

Proposal for a regulation
Annex II – point c (new)

Text proposed by the Commission

Amendment

(c) Preventive measures

(To be inserted before point 6.)

Amendment 129

Proposal for a regulation
Annex II – point 8 a (new)

Text proposed by the Commission

Amendment

8a. Ensure that the reclamation facility is equipped with an alternative means of discharging the treated waste water that is not reused.

Amendment 130

Proposal for a regulation
Annex II – point 9 a (new)

Text proposed by the Commission

Amendment

9a. Ensure that the reclaimed water distribution infrastructure is separate and constructed in such a manner that it avoids risks of contamination of the supply and distribution system for water intended for human consumption.

Amendment 131

Proposal for a regulation
Annex II – point 9 b (new)

Text proposed by the Commission

Amendment

9b. Ensure that the reclaimed water distribution infrastructure is appropriately marked, and, where it is constructed with

open storm drains, that it is adequately equipped with sufficiently visible signage, including where waste water is mixed with water of other origins.

Amendment 132

**Proposal for a regulation
Annex II – point 9 c (new)**

Text proposed by the Commission

Amendment

9c. Ensure that coordination mechanisms are established amongst different actors to guarantee the safe production and use of reclaimed water.

EXPLANATORY STATEMENT

Introduction

Increasing global competition for the use of water poses a growing risk to the economy, communities and the ecosystems they rely on. For example, in 2017 global withdrawals amounted to approximately 6 000 cubic kilometres, and it is estimated that this may rise to approximately 8 700 cubic kilometres in 2050, and nearly 12 700 cubic kilometres in 2100.

This continuous increase in demand, together with the effects of climate change and the resulting increase in average temperatures, raises the alarm that there may be increasing numbers of areas subject to water scarcity.

The issue of sound and efficient management of water resources is therefore becoming increasingly pressing. Increasingly, and with just cause, water is seen more and more as a precious and scarce resource.

Europe is not an arid continent, but water supplies are now a concern for almost half of the EU population.

Europe's geography and climate mean that water distribution is uneven in the EU, a situation made worse by human activity. In southern Europe, for instance, tourist development has increased demand for water, resulting in desertification and salt-water intrusion into aquifers located in some coastal freshwater zones. According to studies carried out by the EEA, if we look at the water exploitation index, we find countries such as Cyprus, Bulgaria, Belgium, Spain, Italy and Malta where the ratio is currently 20% or higher. This equates to serious stress on water reserves. Water scarcity is most acute in the south, but by no means limited to these areas: the Commission has pointed out that most Member States have suffered episodes of drought since 1976, and many now report frequent water scarcity problems and over-exploited aquifers.

Water scarcity is a phenomenon that affects at least 11% of the European population and 17% of EU territory. Since 1980, the number of droughts in Europe has increased, and they have become more severe, costing an estimated EUR 100 billion over the past 30 years.

The droughts of the summer of 2017 illustrated, once again, the extent of economic losses; the Italian farming sector alone predicted losses of EUR 2 billion. This trend is expected to continue: water scarcity is no longer confined to a few corners of Europe, but is already a concern across the EU.

Finding appropriate solutions at EU level to protect water has therefore become crucially important in maintaining a high level of wellbeing for citizens and in preserving the environment.

Context of the proposal

In its 2012 Communication entitled '*A Blueprint to Safeguard Europe's Water Resources*' the Commission had already identified the reuse of urban waste water as one of the alternative water supply measures with a low environmental impact able to address the problem of water scarcity.

The EU legislation, and specifically the Water Framework Directive (2000/60/EC), mentioned the reuse of urban waste water as an additional measure for the efficient management of water resources.

However, the benefits deriving from this activity have not yet been fully realised, because of the lack of clear legislation and specific rules.

According to the data provided by the Commission, the total potential for reuse of water by 2025 is approximately 6.6 billion m³, compared to the current 1.1 billion m³ per year. That would require investment of less than EUR 700 million and would make it possible to reuse over 50% of the total volume of water coming from EU waste water treatment plants theoretically available for irrigation, avoiding more than 5% of direct extraction from bodies of wastes and groundwater.

The Commission's proposal sets out to achieve the above-mentioned objectives by laying down harmonised rules at EU level, with a view to avoiding differing requirements in Member States having an adverse effect on a level playing field and causing obstacles to the smooth operation of the internal market.

The Commission's proposal is limited to reclaimed water used for the purpose of agricultural irrigation, since agriculture is one of the major water-using sectors. The proposal also sets itself the aim of ensuring that the reclaimed water is safe, thus protecting citizens and the environment.

The rapporteur supports the need for a regulation to lay down harmonised criteria at EU level for the reuse of urban waste water. For this reason, she considers the proposal to be a useful tool for ensuring safety and increased uptake of reclamation activities.

However, she considers it necessary to make some amendments with a view to making the legislation clearer, particularly in relation to the definitions, roles and responsibilities of the various entities involved and the main risk management activities. The rapporteur also considers it important to expand the scope of this regulation to include uses for public and environmental purposes, so that the benefits deriving from the reuse of water may be increased.

There needs to be a more precise definition of the difference between 'treated' water, i.e. water given appropriate treatment, as required by Directive 91/271/EEC, and reclaimed water included within the scope of this regulation.

It is necessary to define the main entities involved in urban waste water reclamation operations. For this reason, alongside the treatment plant operator, the reclamation plant operator and the end-user, the role of the distribution system operator is also defined and governed.

The rapporteur supports the requirement for a risk management plan for the recovery of reclaimed water, but considers that this task should be coordinated by the competent authority, which can provide a more accurate and independent assessment of the entire water supply chain. Annex II then identifies the minimum tasks to be carried out by the different entities.

With regard to the minimum quality requirements for reclaimed water, the rapporteur agrees with the parameters proposed by the Commission based on the JRC study, but considers it necessary to add a further 'Salmonella' parameter to guarantee even greater food safety for citizens.

It is important not to restrict possible uses solely to use for agricultural irrigation purposes but to expand them, as is already the case in some Member States, to include public purposes (irrigation of green areas or golf courses) and environmental purposes (combating salt-water intrusion or maintaining minimum ecological flow). To that end, the rapporteur considers that those uses should fall within the parameters relating to the most stringent class, Class A. The rapporteur has decided not to set harmonised parameters for reuse for industrial purposes but

considers that such reuse ought to be incentivised and regulated at national level on the basis of individual cases.

The rapporteur also considers it vital to focus on the need for awareness-raising measures highlighting the water resource savings resulting from the reuse of urban waste water and the control system that guarantees that the reclaimed water is healthy.

Finally, the rapporteur regrets that harmonised rules on recharging aquifers were not included in the scope of the Commission's proposal. For that reason she is asking that in the review, which will be brought forward to five years, there should be an option to submit a legislative proposal on that subject. The Commission is also asked to look at the need for a specific regulation on indirect reuse.

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

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

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.

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 Organisation¹, 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 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

¹WHO Guidelines for the Safe Use of Wastewater, Excreta and Greywater in Agriculture (WHO, 2006a)

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

Amendment

(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***.

(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

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

(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.

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).

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).

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

(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***

option requiring Union attention.

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.

^{1a} 2008/2074(INI)

Amendment 10

Proposal for a regulation

Recital 6

Text proposed by the Commission

Amendment

(6) Reuse of appropriately treated waste water, for example from urban waste water treatment plants or industrial

(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.

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

(7) ***Equivalent*** health standards in relation to food hygiene for agricultural products irrigated with reclaimed water can be achieved ***across the Union*** only if

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.

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)

(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

(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.

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 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

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

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.

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 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.

Amendment

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

Text proposed by the Commission

Amendment

(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***

(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,***

in combination with other non-treatment options.

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

Text proposed by the Commission

(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.

Amendment

(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

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. 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

(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,

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.

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

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)

(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

Amendment

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.

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 solutions to address climate-change issues.*

Amendment 30

Proposal for a regulation Article 3 – paragraph 1 – point 5

Text proposed by the Commission

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 **plant**;

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

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

Amendment

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

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

from the reclamation *plant* operator;

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

Amendment

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

(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

Amendment

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.

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

Amendment

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:

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

Amendment

2. In the event of non-compliance, the competent authority shall require the reclamation ***plant*** operator to ***take any***

2. In the event of non-compliance ***detected after issue of a permit***, the competent authority shall require the

necessary measures to restore compliance *without delay*.

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

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 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

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 53

Proposal for a regulation Article 10 – paragraph 2 a (new)

Text proposed by the Commission

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)

(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

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

Amendment

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 Members 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

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

Amendment

(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 Parliament and of the Council^{1a};

^{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

Amendment

(b) pesticides;

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

Amendment 64

Proposal for a regulation

Annex II – point 5 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) pharmaceuticals;

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

Amendment 65

Proposal for a regulation

Annex II – point 5 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) other substances of emerging concern;

(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

Amendment

- ***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.

- ***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

Amendment

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

- 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

Amendment

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

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	+: 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 Ropè, 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

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Minimum requirements for water reuse			
References	COM(2018)0337 – C8-0220/2018 – 2018/0169(COD)			
Date submitted to Parliament	28.5.2018			
Committee responsible Date announced in plenary	ENVI 2.7.2018			
Committees asked for opinions Date announced in plenary	BUDG 2.7.2018	ITRE 2.7.2018	REGI 2.7.2018	AGRI 2.7.2018
	PECH 2.7.2018			
Not delivering opinions Date of decision	BUDG 28.6.2018	ITRE 19.6.2018	REGI 20.6.2018	PECH 20.6.2018
Rapporteurs Date appointed	Simona Bonafè 29.5.2018			
Discussed in committee	25.10.2018			
Date adopted	22.1.2019			
Result of final vote	+ : 53 - : 1 0 : 4			
Members present for the final vote	Margrete Auken, Pilar Ayuso, Catherine Bearder, Ivo Belet, Simona Bonafè, Biljana Borzan, Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Birgit Collin-Langen, Miriam Dalli, Seb Dance, Angélique Delahaye, Mark Demesmaeker, Stefan Eck, Bas Eickhout, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Arne Gericke, Jens Gieseke, Julie Girling, Sylvie Goddyn, Françoise Grossetête, Jytte Guteland, Anneli Jäätteenmäki, Jean-François Jalkh, Benedek Jávor, Kateřina Konečná, Urszula Krupa, Peter Liese, Valentinas Mazuronis, Susanne Melior, Miroslav Mikolášik, Rory Palmer, Gilles Pargneaux, Bolesław G. Piecha, Pavel Poc, John Procter, Frédérique Ries, Daciana Octavia Sârbu, Annie Schreijer-Pierik, Ivica Tolić, Nils Torvalds, Adina-Ioana Vălean, Jadwiga Wiśniewska, Damiano Zoffoli			
Substitutes present for the final vote	Nikos Androulakis, Cristian-Silviu Buşoi, Christophe Hansen, Martin Häusling, Anja Hazekamp, Jan Huitema, Tilly Metz, Bart Staes, Tiemo Wölken			
Substitutes under Rule 200(2) present for the final vote	Olle Ludvigsson			
Date tabled	29.1.2019			

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

53	+
ALDE :	Catherine Bearder, Jan Huitema, Anneli Jäätteenmäki, Valentinas Mazuronis, Frédérique Ries, Nils Torvalds
ECR:	Mark Demesmaeker
EFDD :	Sylvie Goddyn
ENF :	Jean-François Jalkh
GUE/NGL :	Stefan Eck, Anja Hazekamp, Kateřina Konečná
PPE:	Pilar Ayuso, Ivo Belet, Cristian Silviu Buşoi, Birgit Collin Langen, Angélique Delahaye, José Inácio Faria, Karl Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Jens Gieseke, Julie Girling, Françoise Grossetête, Christophe Hansen, Peter Liese, Miroslav Mikolášik, Annie Schreijer Pierik, Ivica Tolić, Adina Ioana Vălean
S&D:	Nikos Androulakis, Simona Bonafè, Biljana Borzan, Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Miriam Dalli, Seb Dance, Jytte Guteland, Olle Ludvigsson, Susanne Melior, Rory Palmer, Gilles Pargneaux, Pavel Poc, Daciana Octavia Sârbu, Tiemo Wölken, Damiano Zoffoli
VERTS/ALE:	Margrete Auken, Bas Eickhout, Martin Häusling, Benedek Jávor, Tilly Metz, Bart Staes

1	-
ECR:	Arne Gericke

4	0
ECR:	Urszula Krupa, Bolesław G. Piecha, John Procter, Jadwiga Wiśniewska

Key to symbols:

+ : in favour

- : against

0 : abstention