

# EUREAU

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European Union of National Associations of  
Water Suppliers and Waste Water Services

Union Européenne des Associations  
Nationales de Distributeurs d'Eau et de  
Services d'Assainissement

## **Revision of the Drinking Water Directive 98/83/EC Stakeholder Consultation kick-off meeting - 23 October 2007 EUREAU Comments**

EUREAU is the European union of national associations of water suppliers and waste water services. Our members collectively provide sustainable water services to around 450 million European citizens and reflect the diversity of the European water services sector. As the focus of a European network, Eureau represents a unique concentration of technical, scientific and managerial knowledge and practical experience in water services.

### **General position from EUREAU**

- Eureau believes that the maintenance of public health is paramount and must not be compromised. In this respect, EUREAU strongly believes that the directive 98/83 on water intended for human consumption (DWD) is a good directive in terms of the protection of consumer's health. This directive is still under implementation, not only in newer Member States (MS) but also in the EU15.
- Eureau recognizes that more needs to be done to ensure the long term sustainability of Europe's water systems and to fully meet the expectations of all European citizens with respect to their water supply services.
- In the light of scientific, technical and managerial progress, EUREAU welcomes the discussion on a possible revision of the directive. In particular, the revision of parameters and parametric values, in light of toxicological & epidemiological progresses, is necessary, as provided for in the DWD itself.
- The spirit of the current directive is easily understood and enforceable. These advantages should be kept in a revision of the DWD. In EUREAU's view, changes to the DWD should provide more legal certainty for local, regional or national authorities on how water services can be developed in an optimal way for the 21<sup>st</sup> century.

- If it appears necessary to replace the DWD by a new directive, this must be done in the frame of the EU better regulation process, with its consequences in terms of simplification, codifications, withdrawals and measurement of administrative costs.
- Water resource protection and prevention of pollution at source are the primary guarantees for a sustainable drinking water supply as provided for in the WFD.
- **On the issue of subsidiarity:** the governance, natural surroundings and structure of drinking water supply vary considerably across MS, with responsibilities at State, regional, county or municipal levels.
- Another appreciable difference lays in the use of regulations, by-laws, due diligence, codification, standards, check-lists, obligation of means etc. These differences strongly determine the way water supply is organized and supervised by MS authorities. For a cost effective implementation in different MS, the new requirements that would be laid down in a revision of the DWD must leave enough flexibility to MS to build upon their existing systems for the demonstration that fit for purpose principles are followed.
- EUREAU believes that the EU should introduce legislation only for tasks which cannot be performed effectively at a more MS level.

#### **Risk Analysis/Risk Management and Water Safety Plans**

- EUREAU believes Preventive Risk Management (PRM) approach is advisable for drinking water supply, and is already used one way or another by EUREAU members
- According to the MS, elements of PRM are already in place either as code of practice or as regulations or both.
- There is a strong need to fully implement WFD - article 7 which deals with resource protection – an integral part of PRM. Also, knowing that the Directive 75/440 will be repealed soon, new measures have to be taken in replacement for the protection of surface water used for drinking water production. The new Groundwater directive should also be fully implemented.
- Water installations inside buildings are beyond the responsibility of the water suppliers, and are often the cause of non-compliances. PRM plans must be developed to protect water quality inside building installations. .
- Clear responsibilities must be assigned to the different stakeholders, with due consideration to the current legal environment in the EU.
- If it is decided to give a legal basis for PRM development in the water sector, it needs to allow sufficient time to implement PRM without an increase in bureaucracy.
- If PRM is required in the EU legislation, then the use of the terminology “Water Safety Plans” would entail a strong reference to the WHO Guidelines, which are not of legislative nature.
- **In terms of responsibility,** it is important to recognize that the delivered water quality rests with the suppliers up to the point of delivery. For the public water supply, PRM plans do not have to be approved by the regulatory authority(ies), which would lead to creeping regulations and micromanagement of water suppliers by the authorities.

## **Change in Parametric values**

- In the view of EUREAU, changes must be based on best available scientific information: the primary source of such information is WHO
- EUREAU believes that any change to parametric values must be practically achievable in a reasonable timescale, at costs which is commensurate with the benefits that will accrue to European citizens.
- The proposed parametric value must take into account the availability of adequate analytical methodologies which can be routinely used in laboratories across Europe.
- When proposing new parameters to be applied at the European level, the Directive should retain the issues which are relevant to public health across Europe. Under the principle of subsidiarity, MS may introduce additional standards if these are appropriate to their particular region or country.
- **Regarding pesticides**, the 0.1 µg/l pesticide standard laid down in the DWD corresponds to the precautionary principle.
- EUREAU has always argued that the primary approach to achieving this standard should be by prevention at source, and not by expensive and non-sustainable “end-of-pipe”-treatment which has to be paid for by customers instead of polluters.
- EUREAU is disappointed that more progress has not been made in this area, and urges the EU and Member States to make much greater efforts to protect the water bodies from pesticides.
- **Regarding Calcium & Magnesium**, the increase in desalination was cause for the World Health Organisation (WHO) to re-evaluate the relationship between the hardness of water and cardiovascular diseases.
- The WHO conclusion that food is the principal source of minerals.
- EUREAU welcomes the idea of the subsidiarity principle because of regional and local dietary differences and recommends that no action at the EU-level should be taken until the WHO decides to consider a new standard.

## **Construction products in contact with Drinking Water**

- EUREAU strongly supports the European Acceptance Scheme. EUREAU is very disappointed that the promised made nearly 10 years ago were not fulfilled. EAS is seen as essential to ensure that materials and products in contact with drinking water are fit for this purpose and do not cause any harm to health.

## **Assessment of impacts**

- EUREAU members are willing to continue enhancing public health protection, and are determined to take actions whenever needed in this respect.
- To meet the current DWD requirements, massive investments are underway in the majority of MS.
- Without waiting for the revision of the DWD, EUREAU members already investigate risks that are not sufficiently understood and install new treatment whenever necessary.
- The revision of the DWD could require additional investments. Any requirement for new standards should balance any additional benefit to public health against the carbon impact and

implementation costs. In the same way, if PRM would become mandatory, the costs incurred would have to be identified and properly funded.