

# EUREAU



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

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## **Revision of the Drinking Water Directive 98/83/EC Stakeholder Forum – 04/04/2008**

### **EUREAU Comments on Preventive Risk Management**

#### **Summary**

Preventive Risk Management (PRM) is a key element for the supply of good, safe drinking water. In its incorporation in the Drinking Water Directive, the European Commission will need to clarify the health based-targets on which PRM is to be based. The new costs, especially administrative costs and subsequent monitoring costs, must be thoroughly weighted against the expected benefits to European consumers. This introduction of PRM in the legislation will also entail new responsibilities, in terms of risk assessment and independent audit. Equally, resource protection as provided for in the Water Framework Directive, and water risks management in buildings must be enhanced and supported by adequate measures. EUREAU therefore recommends that these elements be properly documented within the drafting of the new drinking water directive.

#### **A word about EUREAU**

EUREAU is the European federation of national associations of drinking water suppliers and waste water services. Our members collectively provide sustainable water services to around 405 million European citizens. They reflect the full diversity of the European water services sector and represent both public and private operators. As the focus point of a European water network, EUREAU represents a unique concentration of technical, scientific and managerial knowledge and practical experience in water services.

## Principles in Preventive Risk Management

- The reliable supply of good, safe drinking water requires:
  - That **health based targets** are established for water supply, from which **robust quality standards** can be put in place
  - effective and **transparent** PRM (Preventative Risk Management)
  - and an independent **verification** process
- This demands the participation of all stakeholders, as was highlighted at the 2 Bonn conferences, resulting in “Bonn Charter” promoted by the International Water Association
- The combined effect of the 3 components is absolutely essential for ensuring that the DWD objectives are met, i.e.
  1. The provision of safe drinking water from catchment to consumer starts with **an effective protection of resources** designated for drinking water supply (groundwater, spring water, rivers, dams, and lakes), under the responsibility of the catchment authorities.
  2. **Drinking water intake, treatment and distribution**, based on a **professional management** system related to codes of practices, due diligence and well trained staff/operators,
  3. Finally, maintaining the high quality of drinking water up to the consumer’s taps needs their **domestic installations to be properly planed, installed and maintained, according to a PRM approach, under the owners responsibility.**
- PRM must lead to more targeted monitoring, and allow for more flexibility in monitoring. In the frame of the better regulation process, these **foreseen benefits should not be undermined by an immediate increased bureaucracy** or monitoring cost.
- Finally, Eureau believes that **accuracy is more important than speed in the revision process**: the draft revised directive must give enough visibility on the above issues to guarantee the success of PRM implementation.

## Status of PRM in Europe

- The concept of **PRM is not a new idea** and is increasingly used in the sector, in the more general framework of **Quality Management Systems** (e.g. ISO 9001). In Eureau’s view, PRM builds on Quality Management Systems, that are or will be in place
- For the future, EUREAU firmly supports the further development of PRM, with the **aims of limiting the regulatory burden of ‘end of pipe’ monitoring.**
- EUREAU also sees PRM as a way of identifying the most appropriate and efficient means of managing water supply, **taking account** of such issues as:
  - the “precautionary principle” (having in mind the benefits of an precautionary approach PRM should consider these risks) ,
  - **‘polluter pays’** principle
  - The **effectiveness of other legislation** e.g. **marketing and use directives, WFD**, and the **Common Agricultural Policy.**
- For small supplies, a simple PRM approach should be followed, proportionate to the type of risk and the extent of risk reduction, taking account of the population supplied.

## Responsibility

- The responsibility for establishing health based targets rests with the health authorities.
- The final **responsibility** for the delivered water quality rests with the suppliers up to the point of delivery. Eureau believes responsibility for developing PRM for this part of the supply chain also rests with the water suppliers, and not with authorities or MS governments.
- **Verification of PRM** should employ a mixture of **end-product testing and audit** of performance.
- Member States should ensure that the **bodies responsible** for the validation and verification of PRM have the necessary **level of qualification** and expertise which may require **time to develop**.
- Such **verification** and validation processes should **not increase the regulatory burden** on water suppliers or lead to **micro-management** of water suppliers by the responsible authorities.
- Beyond the treatment plants and networks, Catchment authorities and building owners have to develop PRM plans for their area of responsibility.
- While the other stakeholders might be willing to cooperate, they will inevitably question **where the funding is coming from to change their practices**. Without this and with no regulatory powers of enforcement the benefits of such liaison are limited in effect.

## Water Safety Plans Terminology

- Chapter 4 of the current edition of the **WHO Guidelines**, dealing with Water Safety Plans, provides suitable documentation to determine specific EU requirements.
- However, the use of the terminology "Water Safety Plans" in the EU legislation would entail a **strong reference** to the WHO Guidelines and thus **go beyond the DWD text** itself, leading to potential **misunderstandings** in any transposition to MS legislation or any subsequent drinking water quality **litigation**. Eureau therefore recommends that a revision of the directive should avoid this precise and pre-defined "Water Safety Plan" terminology.
- In addition, the terminology "Water Safety Plan" has **unhelpful negative connotations** from a consumer's view - i.e. that drinking water is currently unsafe and we need a plan to make it safe.
- EUREAU therefore prefers the term "Preventative Risk Management" (PRM) which has none of the difficulties identified above.

## Integral Approach

- Eureau also acknowledges the need to address **security and resilience measures** (natural disasters, technical failures or deliberate attacks) as hazards in a **similar PRM** approach.
- Water suppliers will already have emergency plans and security and response measures in place which will be **linked** with aspects of the **PRM**. These detailed measures cover **exceptional** circumstances rather than the day to day operation of the water supply chain.
- To maintain effective security these security plans must have **restricted access** and will be kept separate from the PRM documentation.
- The assessment of risks within the water supply chain will **develop over time**, independent of any legal requirement. Particular care should be taken to respect the continuous improvement cycle.
- As an example, some MS may seek to use PRM primarily to **enhance the current level of**

**compliance** with parametric values, whilst others will be using PRM as a complementary tool **to secure and reinforce existing compliance**: The risk approach must reflect these **differences**.

### **Flexibility in Monitoring**

- The process must **not become** overly bureaucratic and **reactionary**, e.g. provoking **knee-jerk** requirements for **extra monitoring** and other studies whenever a **“new” chemical** is reported detected in e.g. raw water.
- **PRM must result** in a **relaxation** of some requirements of the DWD in terms of **end-product testing**.
- The DWD should require the MS to establish the **procedures** which would enable such changes and adaptations, and **enable site-specific flexibility** to be taken into account in the Preventative Risk Management concept.

### **Resource Protection: benefit from article 7 of the WFD**

- Resource protection and source protection provide the **first barriers for a reliable supply of good and safe drinking water (in the EU, a large proportion of the drinking water is not treated before distribution)**. Where catchment management is beyond the jurisdiction of the drinking-water supplier, the planning and implementation of control measures will require **coordination** with other agencies. These may include planning authorities, catchment boards, **environmental and water resource regulators**, road authorities, emergency services and agricultural, industrial and other commercial entities whose activities have an impact on the catchment and therefore on water quality.
- As a general principle, as well as in application of PRM, the **DWD new requirements** need to be **integrated** with the objectives, practice and timing of the **WFD**, with special focus on Article 7. This will **avoid duplicate and abortive effort**.
- A revision of the DWD should recognize that the **protection** of the **catchments** and water bodies is **beyond** the responsibility of **water suppliers**. Moreover, the DWD should ensure **clarity** with regard to the **WFD Article 7** requirements such that the administrative and **monitoring burden** (including land management or inspection provisions) for designated catchments clearly **rests with river basin authorities** or the relevant competent authority.
- It **may not be possible** to apply **all aspects** of resource and source protection **initially**; nevertheless, priority should be given to catchment management and catchment solutions. This will contribute to a sense of **ownership** and joint responsibility for drinking-water resources through **multi-stakeholder bodies** that assess pollution risks and develop plans for **improving management practices** for reducing these risks.

### **Plumbing systems**

- Plumbing systems and occasional water conditioning devices such as filters and softeners, located **inside the buildings and private properties** of consumers are responsible for an increasing percentage of **non compliance** with drinking water standards.
- There is **little European legislation** addressing the issue of water quality in buildings.
- The water suppliers have to **prove their due diligence** when involved in any non-compliance or failure from samples taken from consumers' properties
- EUREAU believes in a source to tap PRM approach, which must therefore include a **specific PRM setup for internal plumbing systems**.
- EUREAU acknowledges the benefit of international **standards** such as EN 1717 and EN 806,

and harmonized norms. A number of national standards, **codes of practices** and **qualification of personnel** systems are already in place in many Member States, which together provide a **sound basis for this PRM** approach in buildings.

- The situation however remains far from being satisfactory, partially because many plumbers or individuals **lack the suitable competence** or qualification to modify or build new plumbing systems in compliance with the above mentioned standards, norms, or codes of practice and partially because these **cannot** be **easily** be implemented **retrospectively**.
- The revision of the Drinking Water Directive should make clear that **in each MS, a body** should be designated as **responsible** for the implementation of **PRM for plumbing systems** in buildings.
- Member States should **ensure the inspection of plumbing systems** inside buildings by competent registered personal, , e.g., for new / significantly modified installations;
- Work must be done by a **competent registered operative**, or be subsequently inspected by a competent registered operative : **On change of ownership** / tenant, the seller / landlord should provide a recent **certificate** indicating that work was carried out by a competent registered operative, or was inspected and approved afterwards by a competent registered operative;
- Components may require more frequent checks according to manufacturers' instructions and / or EN standards.
- Finally, the **chosen materials** for pipes, fixtures and devices are specially important: this should be clarified at the European level through a **European-wide Acceptance Scheme EAS**