



Media briefing

Trilogue results of the revision of the Drinking Water Directive

A successful night for European consumers. The first successful European citizens' initiative "Right2Water" becomes law. Once again, important decisions for citizens and the environment are taken by the Brussels institutions - largely unnoticed by the public. In the course of the revision of the European Drinking Water Directive (official title: Directive of the European Parliament and of the Council on the quality of water intended for human consumption), which was proposed by the Commission in response to the citizens' initiative, not only limit values for hazardous substances are reduced, but also important rights for all consumers are established. In addition, for the first time, large-scale measurements of water losses must now be carried out.

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Summary of the Directive

The Drinking Water Directive lays down quality standards for the European drinking water. Its aim is to protect public health from the adverse effects of pollution. The Directive ensures that water intended for human consumption is wholesome and pure. The EU member states must, among other things:

- Monitor drinking water regularly at designated sampling points to verify that microbiological and chemical parameters are met;
- take the necessary measures to ensure that drinking water does not contain micro-organisms, parasites and harmful substances in concentrations that could endanger human health and that it meets minimum microbiological and chemical requirements;
- prohibit or restrict the supply of water if it is considered to pose a potential risk to public health;
- inform the public of corrective measures taken.

The directive was **adopted in 1998 and was a great success for the quality of drinking water throughout Europe**. In many places, the quality of drinking water has improved after the adoption of the directive. Over 99% of drinking water meets the high European standards. Large parts of the law, including the limit values for substances in drinking water, have not been changed since 1998. Many of the obligations for water suppliers and consumer rights agreed last night are completely new. These include access to drinking water and harmonised consumer information throughout Europe, as well as the measurement of water leakages. The fact that the directive is now being reformed is a result of the first successful European citizens' initiative "Right2Water". It was signed by more than 1.2 million people in Germany. Across Europe even more than 1.6 million people signed it.

The main changes

The compromise text found last night must now be confirmed by the two co-legislators. This is scheduled for spring 2020. The new rules must be transposed into national law by the member states at the latest two years after this confirmation, i.e. in spring 2022. Limit values for newly introduced substances (e.g. bisphenol A) must be complied with from spring 2025 onwards.

Access to drinking water (Articles 1 and 13)

Background: The revision of the Drinking Water Directive goes back to the first successful European citizens' initiative "Right2Water". Among other things, the citizens' initiative called for a European right to water to be enshrined in law. The existing Drinking Water Directive of 1998 was limited to the quality of water and did not lay down any rights or obligations with regard to access to drinking water.

Text adopted: The European Parliament and the Council have agreed to include improving access to drinking water in the objectives of the Directive (Article 1). The Member States are now required to improve access to clean drinking water for all Europeans. These provisions are largely based on proposals by the European Parliament. After pressure from Parliament, Member States must take measures to ensure that all citizens, and in particular vulnerable and marginalised groups, are connected to the distribution network.

One of these instruments is the **construction of public water dispensers**, which must be available to all citizens. This core demand of the Parliament, against which the Council of Member States has long resisted, will lead to new rules in many Member States, where the construction of public water dispensers is not yet required by law. This will not only improve the water supply for particularly vulnerable groups, but will also reduce the use of disposable plastic bottles. Public water dispensers enable a better life with less material consumption.

In addition, Member States must promote the free **provision of drinking water in public buildings**. Member States may also encourage the provision of drinking water in restaurants, either free of charge or for a small service fee. However, they are not obliged to do so because the traditions in the Member States vary widely.

Consumer information (Article 14 and Annex IV)

Background: Consumer information obligations were not part of the existing Directive of 1998. Now, the Commission proposed far-reaching consumer information obligations for the recast of the Directive. While the Council wanted to delete almost all obligations that did not directly concern the quality of water, **Parliament argued for more transparency**. Parliament was able to get suppliers to inform their customers, for example, about average consumption in their catchment area and the cost structure of the water supplied.

Text adopted: At the urging of Parliament, large water suppliers that produce more than 10,000m³ of drinking water per day or supply more than 50,000 people, must for the first time annually inform their customers online about water leakages. They must also deal transparently with customer complaints and publish summaries of these complaints. This information will enable consumers who are unable to choose or change their water supplier to gain an insight into the efficiency of their supplier.

In addition, all suppliers must inform their customers at least once a year about:

- The water quality, including the latest microbiological and chemical parameters measured, and general information on the production, treatment and disinfection of water
- Information on possible hazards if limit values are exceeded.
- The price of the water per litre and cubic metre
- The amount consumed per household and the annual trend
- **A comparison with an average household**
- The catchment area of the supplier and the number of consumers
- Advice on the reduction of water consumption and the reduction of risks caused by stagnant water

Large companies that produce more than 10,000m³ of drinking water per day or supply more than 50,000 people have to provide additional information on:

- **Ownership structure** of the water supply
- **Cost structure** including allocation between variable and fixed costs

Parameters/limit values (Annex I)

Background: The microbiological and chemical parameters to be monitored and complied with for quality control purposes were established in 1998. Since then, both scientific knowledge and technical solutions have progressed. An update of the parameters is therefore urgently needed.

Text adopted: In the negotiations, the European Parliament reduced the limit values for essential parameters (e.g. lead) and introduced new limit values for substances hazardous to health such as Bisphenol-A (BPA) on the basis of a study by the World Health Organisation and taking account of the precautionary principle. The new Drinking Water Directive will thus ensure better health protection for all citizens throughout Europe.

- **Lead:** Lead is harmful to health even in the smallest doses. It is by far the substance with the greatest negative health effects in the Drinking Water Directive. For this reason, the limit value in the supply system has now been halved to 5 micrograms per litre. This reduction was a core demand of the European Parliament and was opposed by the member states for a long time. It will ensure that health risks for many citizens are greatly reduced. Member States have 15 years to reach the limit by replacing pipes. However, this new value does not apply to pipes in private homes where pipe replacement is not easily possible. The member states must now analyse the private building stock and, if necessary
- **Endocrine disruptors:** For the first time, the new Directive will protect consumers against endocrine disruptors in drinking water. Parliament was able to push through a limit value for Bisphenol-A on the initiative of the Greens/EFA Group. Water suppliers must now measure Bisphenol-A in drinking water and ensure that the limit value is not exceeded. The member states have long resisted this value.
- **Watch list:** In order to protect consumers from substances for which there is no complete scientific knowledge, a new watch list will be introduced. This means that changes can be introduced even without a time-consuming revision of the Directive. In the future, suppliers will be obliged to measure substances on this list. The list will be drawn up by the European Commission. The Commission has the right to add to the watch list any substance that poses public concern to health. Endocrine disruptors and pharmaceuticals are explicitly named as candidates for the watchlist. Wherever relevant to health protection, Member States must require suppliers to change the treatment of drinking water in order to remove these substances from it. On the basis of the data collected in this way, these substances should be transferred from the watch list to the Directive as soon as possible in order to establish a binding limit value.
- The first substances on the watch list will be **two more endocrine disruptors** (beta-estradiol and nonylphenol) for which Member States must take measures to protect consumers.
- **Microplastics:** Microplastics will also be on the same watch list. This success of the European Parliament allows Member States to take preventive measures to reduce microplastics if suppliers find too much microplastics in the drinking water. These measures would affect the largest sources of microplastics, i.e. car tyres. Suppliers can also be obliged to change the treatment of drinking water in order to keep microplastics out of drinking water. As there is currently no uniform method for measuring microplastics, the Commission has been asked to develop it. On the basis of this method, a mandatory limit value for microplastics could be established in the future.
- **PFAS:** Perfluorinated alkylated substances (PFAS) are a group of about 4700 industrial chemicals that do not occur in the environment. They are used, among other things, in the manufacture of stain- and water-repellent products, semiconductors and paints. PFAS are also called "forever chemicals" because they do not degrade in the environment or in the human body. PFAS are associated with some chronic effects (influences on fat metabolism, thyroid gland, immune system and hormonal processes). In some regions of Europe, humans have been exposed to high PFAS concentrations for decades. In Germany, increased PFAS levels were found in the rivers Ruhr and Möhne in 2006. These chemicals came from a contaminated fertilizer. Increased PFAS values were then found in groundwater, fish and arable land. In the blood of residents of the affected areas, a PFAS value of up to eight times higher than what scientists say is safe was measured. From the early 1960s until 2014, residents of the Italian Veneto region lived near a factory that released PFAS into the environment uncontrolled. The new Drinking Water Directive introduces for the first time a limit value for the 20 most important of the approximately 4700 different substances. Over the next three years, the Commission is to develop a method for measuring all PFAS. A new limit value for all 4700

substances will then be set by the European Parliament and the Council on the basis of this method. In addition, the EU Commission must develop a method over the next three years to measure all PFAS. The member states can then decide to use the existing limit value for the 20 substances or to use a new higher limit value for all 4700 substances - or to apply both limit values simultaneously. After five years, the Commission must present a new proposal on the PFAS limit value in order to harmonise the two parallel limit values as far as possible.

- **Chromium:** The limit value for chromium has been halved.
- In addition, limit values for chromium were introduced for the first time:
 - Chlorite
 - Chlorate
 - Halogenacetic acids
 - Microsystin-LR
 - Uranium

Leakages (Article 4)

Background: Across the EU, around a quarter of all drinking water never reaches the consumers. Not only do these losses incur unnecessary costs for consumers, they also allow harmful substances to penetrate the drinking water supply unnoticed via leaks in pipes and uncontrolled escape of the water can lead to adverse effects on the environment.

Text adopted: In five years at the latest, at least all major water suppliers that produce more than 10,000m³ of drinking water per day or supply more than 50,000 people must have measured the leakages for the first time. The Commission then calculates a threshold value on the basis of the water losses reported by the Member States. In Member States above the threshold, measures must be taken to reduce water losses. After eight years at the latest, the Member States must present an action plan to reduce water losses. This is intended to improve the general underinvestment in the maintenance and renewal of drinking water infrastructure in many regions of Europe.

Materials in contact with drinking water (Article 10a)

Background: To date, there are no uniform rules throughout Europe that would determine which materials can or cannot come into contact with drinking water for health reasons. This not only creates dangers for consumers through harmful materials, it also hampers the EU's internal market. Manufacturers of pipes and other products have to follow different rules in almost every member state, which leads to considerable bureaucratic costs.

Text adopted: Parliament and Council have decided that a positive list of all materials and substances that may come into contact with drinking water will be drawn up in the coming years. Substances on this list must be regularly checked for their health risks. Only substances that do not pose a risk to health may end up on the positive list. Materials that are not on the list must not be used in drinking water pipes. This innovation will reduce health risks for consumers. At the same time, harmonised European rules will reduce unnecessary bureaucracy and save costs for manufacturers and their customers.