Parlamentul României

Senat

Bucharest, 28 March 2018

Courtesy translation

OPINION

of the SENATE OF ROMANIA

on the proposal for a Directive of the European Parliament and of the Council on the quality of water intended for human consumption (recast)

COM (2017) 753 final

The Senate of Romania has examined the proposal for a Directive of the European Parliament and of the Council on the quality of water intended for human consumption (recast) - COM (2017) 753 final, according to the provisions of the Treaty of Lisbon (Protocol no.2).

Taking into account the report of the Committee for European Affairs no. LXII/144/27.03.2018, **the plenum of the Senate**, during its session of 28 March 2018, has decided the following:

(1) Notes that this Directive proposal complies with the principles of subsidiarity and proportionality, as its objectives cannot be achieved at national level and the proposed measures and the form of Directive are appropriate. The Impact Assessment accompanying this document shows that the most appropriate and cost-effective measures that could be taken at the EU level at the time of the review, are contained in the text of the Directive. At the same time, the text of the proposal still requires many clarifications, for which it is sending the following observations.

(2) Considers that:

1. Even if in terms of protecting the health of the population, we cannot contest the European Commission's options, we can emphasize that the financial effort involved in monitoring all the proposed parameters and the measures to be taken to comply with such strict values, is not justified in terms of benefit, especially since the values recommended by the WHO meet the objective of protecting the health of all population categories and are based on trustworthy studies.
2. The Commission's reasoning that, as the current values are in force for decades, it is assumed that there will be no additional costs, as the treatment techniques required to comply with these limits are already applied, is not sustainable.

3. The introduction of new parameters as well as the increased frequency of monitoring imply important investments in laboratory techniques and qualified personnel for which it is necessary at least a reasonable amount of time, but also important funds.
4. The introduction of new parameters will bring significant costs also for water operators, the methods of analysis being costly and the number of laboratories that can carry out these measurements is limited.
5. Specifications are required for some parameters such as:

a. for turbidity, its introduction into the microbiological parameters group and frequency of daily or online monitoring should be clarified (frequency will increase from weekly to daily basis);
b. for chromium, specifications are required to clarify the decrease of the maximum admissible value;
c. for some families of substances such as PFAS (each perfluoroalkylated and polyfluoroalkylated substance) it is necessary to name the individual substances for each family; the total will represent the sum of these individual substances.

6. The exposure by drinking water is different from that concerning food additives, so that a value of 0.5 is safe enough. Also the risk of overexposure is expressed by the EFSA at 0.7 mg / kg body weight, or the concentration in water is 0.7 mg / l. To reach a load of 0.7 mg / kg bodyweight, a baby should drink a daily amount of water equal to his weight, respectively 3 l / day, which is not possible.
7. Parameters must be analyzed in those drinking water supply areas (ZAPs) where there is profile industry and the risk of their occurrence in drinking water.
8. Taking into account also the WHO point of view, we must propose the elimination of the parameters: benzene, cyanide, 1,2-dichloroethane, mercury and polycyclic aromatic hydrocarbons (PAHs) because these parameters usually occur following some pollution incidents.
9. The financial and human resources effort required to implement endocrine disruptors monitoring is not justified against the risk to health and should only be analyzed from the ZAPs, where the source is of surface.
10. With regard to endocrine disruptors (beta-estradiol, bisphenol A, nonifenols), there is currently no evidence that there are any health risks associated with drinking water, which is a minor source of exposure, and such risks are unlikely.
11. These substances can be a problem for surface waters being present in rivers that are affected by effluents from municipal and industrial wastewater treatment, so we believe that their analysis could be imposed only in waters from surface sources.
12. There are small ZAPs that should make investments for compliance while the recorded values do not impose any health risk.
13. The Legionella pneumophila parameter should be analyzed only in priority public buildings, e.g. hospitals, public health institutions, accommodation buildings, prisons and campsites that are equipped with showers or other aerosol systems and that accommodate vulnerable populations.
14. The note specifying that it is necessary to analyze only the pesticides that may be present in a certain water source subject to potabilisation should be retained, because many of the pesticides provided as parameters to be analyzed may not be present in the water source subject to potabilisation, as a result of the agricultural history of the land on which the capture is located.

15. Following the introduction of the definition of water operator and its classification in very large, large and small, it is no longer clear whether monitoring and reporting will be done with consideration of the water supply area (as it is so far) or of the water operator (this can distribute water from multiple sources, in different supply areas).
16. The Directive should explicitly specify threshold values or clarify whether it does not exist to ensure people's confidence in the information.
17. The minimum sampling frequency for operators delivering over 100 m.c. is very large and impossible to achieve.
18. With regard to the assessment of the hazards of bodies of water used for the capture of water intended for human consumption, it is necessary to clarify and link the terms used in this Directive proposal with those used in the terminology of the Water Framework Directive and of the other Directives in the field of water, referred to art. 8 (examples: hazard identification, mitigation measures, hazard assessment).
19. For the assessment of microplastics, the Directive should provide for the adoption of some analytical methods to guide Member States.
20. As regards the internal distribution risk assessment, there is no mention of how to access private property for risk analysis. The repeal of the old Article 10 on the quality assurance of treatments, equipments and materials is premature and will not lead to the removal itself of the trade barriers referred to in recital 12. In addition, materials coming into contact with drinking water are a problem across the entire network from source to water tap and not only in internal systems.
21. The period of 6 years is too long as regards the possibility of reviewing the monitoring programs.

p. President of the Senate

Adrian ȚUȚUIANU