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#### **INFORMATION NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council  
Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on minimum requirements for water reuse  
- Outcome of the European Parliament's first reading,  
(Strasbourg, 11 to 14 February 2019)

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#### **I. INTRODUCTION**

The rapporteur, Simona BONAFÈ (S&D, IT), presented a report on the proposal for a Regulation on behalf of the Committee on the Environment, Public Health and Food Safety. The report contained 132 amendments (amendments number 1-132) to the proposal.

In addition, the EFDD political group tabled one amendment (amendment number 133) and the S&D political group also tabled one amendment (amendment number 134). The ALDE and the Greens/EFA political groups together tabled one amendment (amendment number 135).

## II. VOTE

When it voted on 12 February 2019, the plenary adopted amendments 1-89 and 91-134 to the proposal for a Regulation. No other amendments were adopted.

The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto<sup>1</sup>.

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<sup>1</sup> The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in ***bold and italics***. The symbol "■" indicates deleted text.

## **Minimum requirements for water reuse \*\*\*I**

**European Parliament legislative resolution of 12 February 2019 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 2018<sup>2</sup>,
  - having regard to the opinion of the Committee of the Regions of 6 December 2018<sup>3</sup>,
  - 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.

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<sup>2</sup> Not yet published in the Official Journal.

<sup>3</sup> 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 Council<sup>15</sup> 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/EEC<sup>16</sup> 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 Council<sup>15</sup> 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/EEC<sup>16</sup> requires that treated waste water be reused whenever appropriate.

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<sup>15</sup> 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).

<sup>16</sup> Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ L 135, 30.5.1991, p. 40).

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<sup>15</sup> 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).

<sup>16</sup> 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

(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"<sup>17</sup> pointed to *water reuse for irrigation or industrial purposes* as an alternative water supply option *requiring Union attention*.

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<sup>17</sup> COM(2012) 673.

Europe's Water Resources"<sup>17</sup> 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 the vulnerability of supply systems*.

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<sup>17</sup> 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 Union"<sup>18</sup> 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.

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<sup>18</sup> COM(2007) 414.

#### *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 Union"<sup>18</sup> 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/EC 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.

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<sup>18</sup> COM(2007) 414.

## Amendment 6

### 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<sup>1a</sup> 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.***

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<sup>1a</sup> OJ C 9 E, 15.1.2010, p. 33.

## Amendment 7

### Proposal for a regulation Recital 5

*Text proposed by the Commission*

*Amendment*

(5) In its Action Plan for the Circular Economy <sup>19</sup>the 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.

(5) In its Action Plan for the Circular Economy <sup>19</sup>the 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.***

## Amendment 8

### Proposal for a regulation Recital 6

#### *Text proposed by the Commission*

(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.

#### *Amendment*

(6) Reuse of appropriately treated 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*

(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 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.

#### *Amendment*

(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 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.*

### **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

(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

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.

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<sup>1a</sup>. 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.***

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<sup>1a</sup> ***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*

*Amendment*

(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.

(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 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 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 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*

***(11b) 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***

## Amendment 26

### Proposal for a regulation

#### Recital 12

##### *Text proposed by the Commission*

(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/EEC<sup>20</sup> and 98/83/EC<sup>21</sup>, Directives 91/271/EEC and 2000/60/EC, Regulations (EC) No 178/2002<sup>22</sup>, (EC) No 852/2004<sup>23</sup>, (EC) No 183/2005<sup>24</sup>, (EC) No 396/2005<sup>25</sup> and (EC) 1069/2009<sup>26</sup> of the European Parliament and of the Council, Directives 2006/7/EC<sup>27</sup>, 2006/118/EC<sup>28</sup>, 2008/105/EC<sup>29</sup> and 2011/92/EU<sup>30</sup> of the European Parliament and of the Council, Commission Regulations (EC) No 2073/2005<sup>31</sup>, (EC) No 1881/2006<sup>32</sup> and (EC) 142/2011<sup>33</sup>.

<sup>20</sup> 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).

<sup>21</sup> Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L

##### *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, 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 Directives 86/278/EEC, 91/676/EEC<sup>20</sup> and 98/83/EC<sup>21</sup>, Directives 91/271/EEC and 2000/60/EC, Regulations (EC) No 178/2002<sup>22</sup>, (EC) No 852/2004<sup>23</sup>, (EC) No 183/2005<sup>24</sup>, (EC) No 396/2005<sup>25</sup> and (EC) 1069/2009<sup>26</sup> of the European Parliament and of the Council, Directives 2006/7/EC<sup>27</sup>, 2006/118/EC<sup>28</sup>, 2008/105/EC<sup>29</sup> and 2011/92/EU<sup>30</sup> of the European Parliament and of the Council, Commission Regulations (EC) No 2073/2005<sup>31</sup>, (EC) No 1881/2006<sup>32</sup> and (EC) 142/2011<sup>33</sup>.

<sup>20</sup> 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).

<sup>21</sup> 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).

<sup>22</sup> 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).

<sup>23</sup> 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).

<sup>24</sup> 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).

<sup>25</sup> 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)

<sup>26</sup> 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)

<sup>27</sup> 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)

<sup>28</sup> 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).

<sup>29</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality

330, 5.12.1998, p. 32).

<sup>22</sup> 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).

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<sup>28</sup> 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).

<sup>29</sup> 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).

<sup>30</sup> 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).

<sup>31</sup> Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338 22.12.2005, p.1)

<sup>32</sup> 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)

<sup>33</sup> 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)

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).

<sup>30</sup> 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).

<sup>31</sup> Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338 22.12.2005, p.1)

<sup>32</sup> 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)

<sup>33</sup> 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*

*Amendment*

(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.

(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*

*Amendment*

(16) In order to adapt the existing minimum requirements and the key risk management tasks to scientific and

(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-Making<sup>37</sup>. 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.

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<sup>37</sup> OJ L 123, 12.5.2016, p. 1.

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-Making<sup>37</sup>. 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.

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<sup>37</sup> 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

#### *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 *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.

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 management.

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 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.***

**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;**

## 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

*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;

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*

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 7(3), as regards water quality.

#### *Amendment*

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.

## 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*

*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 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 appropriate preventive measures.**

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 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 133**

#### **Proposal for a regulation Article 5 – paragraph 3 – subparagraph 2 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

*By... [1 year after the date of entry into force of this Regulation] the Commission shall adopt delegated acts in accordance with Article 14 to supplement this Regulation by introducing a methodology for measuring the presence of microplastics in reclaimed water which may be subject to additional requirements based on the risk assessment referred to in point 4 of 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 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 5(2);

*Amendment*

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

## **Amendment 77**

### **Proposal for a regulation**

#### **Article 6 – paragraph 3 – point b**

*Text proposed by the Commission*

(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;

*Amendment*

(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*

(c) a description of how the reclamation **plant** operator will comply with the additional requirements proposed in the Water Reuse Risk Management Plan.

*Amendment*

(c) a description of how the 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*

*Amendment*

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

(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 the human and animal health or the environment.

#### *Amendment*

(c) any other conditions necessary to further **eliminate** any unacceptable risks to the human and animal health or the environment.

## Amendment 84

### Proposal for a regulation Article 7 – paragraph 3 a (new)

**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.*

## **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 competent authority shall require the reclamation ***plant*** operator to take any necessary measures to restore compliance ***without delay***.

2. In the event of non-compliance, the 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 an incident.

#### *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 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 134

### Proposal for a regulation Article 8 – paragraph 4 b (new)

*Text proposed by the Commission*

*Amendment*

**4b. In the event of non-compliance of reclaimed water at the point of compliance and subsequent contamination of soil or agricultural products through distribution and storage of that non-compliant reclaimed water, resulting in health and environmental hazards, the reclamation facility operator shall be held responsible and liable for damages.**

## 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:



## 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;***

## 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***

## 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*

1. The Commission shall, by ... [**6** 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:

##### *Amendment*

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:

## 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

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.

## 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 ... [**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*

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

*Amendment*

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		<b><i>Drip irrigation* only</i></b>
D	Industrial, energy, and seeded crops	All irrigation methods

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(\*) 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	All irrigation methods
C		<b><i>Only irrigation methods that do not lead to direct contact between the crop and the reclaimed water. For example, drip</i></b>

	crops to feed milk- or meat-producing animals	<i>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.

## 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 class	Indicative <i>technology target</i>	<i>Quality requirements</i>				
		E. coli (cfu/100 ml)	3OD <sub>5</sub> (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 <sup>1</sup> (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			-	

<sup>1</sup> 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 <sub>5</sub> (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
B	Secondary treatment, and disinfection	≤100	According to Council Directive 91/271/EEC <sup>1</sup>	According to Council Directive 91/271/EEC	-	where there is risk of aerosolization in greenhouses
C	Secondary treatment, and disinfection	≤1 000	(Annex I, Table 1)	Directive 91/271/EEC	-	Intestinal nematodes
D	Secondary treatment, and disinfection	≤10 000		(Annex I, Table 1)	-	(helminth eggs): ≤1 egg/l for irrigation of pastures or forage <b>Salmonella: absent</b>

<sup>1</sup> 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.***

**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 BOD<sub>5</sub>, 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 BOD<sub>5</sub>, 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.

**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

*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 **system**.

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.***

## Amendment 113

### Proposal for a regulation

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

*Text proposed by the Commission*

*Amendment*

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.

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.**

## Amendment 114

### Proposal for a regulation

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

*Text proposed by the Commission*

*Amendment*

Validation monitoring shall be performed

Validation monitoring shall be performed

for the most stringent reclaimed water quality class, Class A, to assess that the performance targets (log<sub>10</sub> 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<sub>10</sub> 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.

for the most stringent reclaimed water quality class, Class A, to assess that the performance targets (log<sub>10</sub> 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<sub>10</sub> 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 log<sub>10</sub> reduction, the absence of such biological indicator in the effluent shall mean that the validation requirements are 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*

(\*) The reference pathogens Campylobacter, Rotavirus and Cryptosporidium can also be used for validation monitoring purposes instead of the proposed indicator microorganisms. The following log<sub>10</sub> reduction performance targets should then apply: Campylobacter (≥ 5.0), Rotavirus (≥ 6.0) and Cryptosporidium (≥ 5.0).

##### *Amendment*

(\*) The reference pathogens Campylobacter, Rotavirus and Cryptosporidium can also be used for validation monitoring purposes instead of the proposed indicator microorganisms. The following log<sub>10</sub> reduction performance 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 requested log10 removal.

##### *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. ***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

##### *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***

quality.

*shall ensure that the laboratories selected for the validation monitoring implement quality management practices in accordance with standard ISO/IEC 17025.*

## **Amendment 120**

### **Proposal for a regulation Annex II – title**

*Text proposed by the Commission*

*Amendment*

Key risk management tasks

**(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*

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.

*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. ***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

*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***



uncertainty in risk characterisation shall be addressed in accordance with the precautionary principle.

*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*

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.

#### *Amendment*

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.***

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