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NOTE

from:	General Secretariat of the Council
to:	Delegations
No. Cion prop.:	8483/12 ATO 47 ENV 262 SAN 69
Subject:	Proposal for a Council Directive laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption

1. On 15 December 2012, Coreper took note of the full agreement reached at the WP on Atomic Questions, as set out in doc. 18744/11.

2. The Commission submitted to the Council and the European Parliament a final proposal as set out in doc. 8483/12 on 2 April 2012. The European Parliament delivered its opinion on 12 March 2013.

3. The Commission proposed amendments with regard to bottled water: they are reflected in the attached text. Changes to doc. 18744/11 are in **bold underline**; deletions are marked with ~~strikethrough~~. Justification for these amendments is provided below.

   While it was agreed that bottled water should be included in the Directive this has to be done in a manner coherent with existing legal provisions.

While Natural Mineral Waters were rightly excluded from the scope of the draft Council Directive water put into bottles or containers intended for sale should be exempted from the requirements laid down by Article 5 (Parametric values and points of compliance) of the draft Council Directive.

According to Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, "food" includes water after the point of compliance as defined in Article 6 of Directive 98/83/EC. It follows that water put into bottles or containers for sale is subject to the food hygiene requirements laid down by Regulation (EC) No 852/2005 on the hygiene of foodstuffs, specifically those provisions related to the principles of hazard analysis and critical control points (HACCP) laid down in Article 5 of the Regulation. Furthermore, Regulation (EC) No 882/2004 requires regular controls on foods that are proportionate to the risk, taking into account the results of the checks carried out by the food business operator under HACCP based control programmes. The requirements for sampling frequency laid down in Annex II, Table B of the draft Council Directive, for water put into bottles or containers, are therefore redundant. The requirements for HACCP-based control programmes laid down by the Regulation on food hygiene and the official controls required by Regulation (EC) No 882/2005 are sufficient for the purpose of monitoring and checking that the concentrations of radioactive substances do not exceed the parametric values laid down in accordance with Article 5 of the draft Council Directive.

Amended recital 7 provides the reason for excluding water put into bottles or containers intended for sale from the monitoring requirements.

4. The Working Party on Atomic Questions is invited to consider the proposed amendments to the text of the proposed Directive as attached, with a view to reaching full agreement on this proposal and allow for the adoption of this Directive, now that the EP has delivered its opinion.

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ANNEX A

2012/0074 (NLE)

Proposal for a

COUNCIL DIRECTIVE

laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 31 and 32 thereof,

Having regard to the proposal from the Commission[1] drawn up after obtaining the opinion of a group of persons appointed by the Scientific and Technical Committee from among scientific experts in the Member States, in accordance with Article 31 of the Treaty,

Having regard to the opinion of the European Economic and Social Committee[2],

After consulting the European Parliament[3],

Whereas:

(1) The ingestion of water is one of the pathways of incorporation of radioactive substances into the human body. In accordance with Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation[4], the contribution to the exposure of the population as a whole from practices which involve a risk from ionizing radiation must be kept as low as reasonably achievable.

(2) In view of the importance for human health of the quality of water intended for human consumption, it is necessary to lay down at Community level quality standards which have an indicator function and provide for the monitoring of the compliance with those standards.

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1 OJ C , , p.
2 OJ C , , p.
3 OJ C , , p.
4 OJ L 159, 29.6.1996, p. 1

(3) Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption[1] sets out indicator parameters in Annex I, Part C relating to radioactive substances and related monitoring provisions in Annex II. However, those parameters fall within the scope of the basic standards defined in Article 30 of the Euratom Treaty.

(4) The requirements for monitoring levels of radioactivity in water intended for human consumption should therefore be adopted in specific legislation that ensures the uniformity, coherence and completeness of radiation protection legislation under the Euratom Treaty.

(5) The Community being competent to adopt the basic safety standards for the protection of the health of workers and general public against the dangers arising from ionizing radiations, the provisions of this Directive supersede those of the Directive 98/83/EC as regards the requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption.

(6) As recognised by the Court of Justice in its case-law, the tasks imposed on the Community by Article 2(b) of the Euratom Treaty to lay down uniform standards to protect the health of the population and of workers does not preclude, unless explicitly stated in the standards**,** a Member State from providing for more stringent measures of protection. As this Directive provides for minimum rules, Member States should be free to adopt or maintain more stringent measures in the subject-matter covered by this Directive, without prejudice to the free movement of goods in the internal market as defined by the case-law of the Court of Justice.

(7) In the event of non-compliance with a parametric value, this parametric value should not be regarded as a limit value, but the Member State concerned should consider whether that non-compliance poses a risk to human health which requires action and, where necessary, take remedial action to improve the quality of the water to a level which complies with the requirements for the protection of human health from a radiation protection point of view. **The monitoring of waters put into bottles or containers intended for sale, other than natural mineral waters, for the purpose of checking that the levels of radioactive substances comply with the parametric values laid down in this Directive should be done in accordance with the principles of hazard analysis and critical control points (HACCP) as required by Regulation (EC) No 852/2004.**

[1] OJ L 330, 5.12.1998, p. 32

(8) The general public should be adequately and appropriately informed of the quality of water intended for human consumption.

(9) It is necessary to exclude from the scope of this Directive natural mineral waters and waters which are medicinal products, since special rules for those types of water have been established in Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters[1] and Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use[2].

(10) Each Member State should establish monitoring programmes to check that water intended for human consumption meets the requirements of this Directive.

(11) The methods used to analyse the quality of water intended for human consumption should be such as to ensure that the results obtained are reliable and comparable.

(12) Taking into consideration the large geographical variability in the natural occurence of radon the European Commission has adopted Commission Recommendation 2001/928/Euratom of 20 December 2001 on the protection of the public against exposure to radon in drinking water supplies[3], which deals with the quality of water intended for human consumption supplies regarding radon and long-lived radon decay products, and it is appropriate to include these radionuclides in the scope of this Directive.

(13) In order to maintain a high quality of water intended for human consumption in view of its importance for human health Annex II and III need to be regularly updated in the light of scientific and technical progress.

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1 OJ L 164, 26.6.2009, p. 45
2 OJ L 311, 28.11.2001, p. 67
3 OJ L 344, 28.12.2001, p.85

HAS ADOPTED THIS DIRECTIVE:

Article 1

Subject matter

This Directive lays down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption. It sets out parametric values, frequencies and methods for monitoring radioactive substances.

Article 2

Definitions

For the purposes of this Directive the following definitions shall apply:

(1) "water intended for human consumption" means:

(a) all water either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic purposes, regardless of its origin and whether it is supplied from a distribution network, from a tanker, or in bottles or containers,

(b) all water used in any food-production undertaking for the manufacture, processing, preservation or marketing of products or substances intended for human consumption unless the competent national authorities are satisfied that the quality of the water cannot affect the wholesomeness of the foodstuff in its finished form.

(2) "Radioactive substance" means any substance that contains one or more radionuclides the activity or concentration of which cannot be disregarded as far as radiation protection is concerned.

(3) "Indicative Dose" means the committed effective dose for one year of ingestion resulting from all the radionuclides whose presence in a water supply has been detected, both of natural and artificial origin, excluding tritium, potassium–40, radon and short-lived radon decay products.

(4) "Parametric value" means the value above which Member States shall assess whether the presence of radioactive substances in water intended for human consumption poses a risk to human health which requires action and, where necessary, shall take remedial action to improve the quality of water to a level which complies with the requirements for the protection of human health from a radiation protection point of view.

Article 3

Scope and exemptions

(1) This Directive shall apply to water intended for human consumption.

(2) This Directive shall not apply to:

(a) natural mineral waters recognised as such by the competent national authorities, in accordance with Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters;

(b) waters which are medicinal products within the meaning of Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use.

(3) Member States may exempt from the provisions of this Directive:

(a) water intended exclusively for those purposes for which the competent authorities are satisfied that the quality of the water has no influence, either directly or indirectly, on the health of the general public concerned;

(b) water intended for human consumption from an individual supply providing less than 10 m^3 a day as an average or serving fewer than 50 persons, unless the water is supplied as part of a commercial or public activity.

(4) Member States that have recourse to the exemptions provided for in paragraph 3(b) shall ensure that the general public concerned is informed thereof and of any action that can be taken to protect human health from the adverse effects resulting from any contamination of water intended for human consumption. In addition, when a potential danger to human health arising out of the quality of such water is apparent, the general public concerned shall promptly be given appropriate advice.

(5) This Directive does not prevent Member States from adopting or maintaining more stringent measures in the subject-matter covered by this Directive, in compliance with Community law.

Article 4

General obligations

Without prejudice to the provisions laid down in Article 6(3)a of Directive 96/29/Euratom, Member States shall take all measures necessary to establish an appropriate monitoring programme of water intended for human consumption, to ensure that in the event of non-compliance with the parametric values established in accordance with this Directive it shall be assessed whether that non-compliance poses a risk to human health which requires action and, where necessary, remedial action shall be taken to improve the quality of water to a level which complies with requirements for the protection of human health from a radiation protection point of view.

Article 5

Parametric values and points of compliance

(1) Member States shall set parametric values applicable for the monitoring of radioactive substances in water intended for human consumption in accordance with Annex I.

(2) Where monitoring of water intended for human consumption is undertaken in accordance with the requirements of Annex II of this Direcive, compliance with parametric values shall be:

(a) in the case of water supplied from a distribution network, at the point at which it emerges from the taps where the water is normally taken;

(b) in the case of water supplied from a tanker, at the point at which it emerges from the tanker;

(c) in the case of water put into bottles or containers intended for sale, at the point at which the water is put into the bottles or containers;

(d) in the case of water used in a food-production undertaking, at the point where the water is used in the undertaking.

(3) The definition of points of compliance in (2)(a) is without prejudice to the choice of a sampling point, which may be any point within the supply zone or at the treatment works provided there is no adverse change of the concentration value from that point to the point of compliance.

Article 6

Monitoring and analysis

1. Member States shall take all measures necessary to ensure that monitoring for radioactive substances in water intended for human consumption is undertaken in accordance with the monitoring strategies and frequencies set out in Annex II, in order to check whether the concentrations of radioactive substances meet the parametric values laid down in Annex I. Monitoring shall be undertaken so as to ensure that measured values obtained are representative of the quality of the water consumed throughout the year; **for water put into bottles or containers intended for sale this shall be without prejudice to the principles of hazard analysis and critical control points (HACCP) as required by Regulation (EC) No. 852/2004.**
2. Monitoring for the Indicative Dose and analytical performance characteristics shall be in accordance with the requirements set out in Annex III.
3. Member States shall ensure that any laboratory at which samples are analysed has a system of analytical quality control that is subject to checking by an organisation which is external to the laboratory and which is approved by the competent authority for that purpose.

Article 7

Remedial action and notification of the general public

1. Member States shall ensure that any failure to comply with a parametric value laid down in accordance with Article 5 is immediately investigated in order to identify the cause.
2. Where a failure to comply with a parametric value occurs, the Member State shall assess whether the failure poses a risk to human health which requires action.
3. In the event that there is such a risk, the Member State shall
   a) take remedial action in order to comply with requirements for the protection of human health from a radiation protection point of view, and
   b) ensure that the general public is notified of the risk and the remedial action taken and furthermore is advised on any additional precautionary measures that may be needed for the protection of human health in respect of radioactive substances.

Article 8

Transposition into national law

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by two years after the date referred to in Article 9 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

   When Member States adopt those provisions, they shall contain a reference to this directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. The Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 9

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 10

Addressees

This Directive is addressed to the Member States.

Done at Brussels, [...]

For the Council

The President

ANNEX I

Parametric values for radon, tritium and Indicative Dose of water intended for human consumption

Parameter	Parametric value	Unit	Notes
Radon	100	Bq/l	(Note 1)
Tritium	100	Bq/l	(Note 2)
Indicative Dose	0.10	mSv	

Note 1

(a) Member States may set a level for radon which is judged inappropriate to be exceeded and below which optimisation of protection should be continued, without compromising water supply on a national or regional scale. The level set by a Member State may be higher than 100 Bq/l but lower than 1000 Bq/l. In order to simplify national legislation, Member States may choose to adjust the parametric value to this level.

(b) Remedial action is deemed to be justified on radiological protection grounds, without further consideration, where radon concentrations exceed 1000 Bq/l..

Note 2: Elevated levels of tritium may indicate the presence of other artificial radionuclides. If the tritium concentration exceeds its parametric value, an analysis of the presence of other artificial radionuclides shall be required

ANNEX II

Monitoring of radioactive substances

1. General principles and monitoring frequencies

All parameters set in accordance with Article 5(1) shall be subject to monitoring unless it can be established by the competent authorities that, for a period of time to be determined by them, a parameter is not likely to be present in a given supply in concentrations which could exceed the corresponding parametric value.

In case of naturally occuring radionuclides, when previous results have shown that the concentration of radionuclides is stable, the frequency, in derogation from the minimum sampling requirements set out in Annex II, point 6, is to be decided by the Member State taking into consideration the risk to human health.

A Member State is not required to monitor water intended for human consumption for radon or tritium or to establish the Indicative Dose where it is satisfied on the basis of representative surveys, monitoring data or other reliable information that, for a period of time to be determined by them, the levels of radon, tritium or of the calculated Indicative Dose will remain below the respective parametric values listed in Annex I. In that case, it shall communicate the grounds for its decision to the Commission and provide the Commission with the necessary documentation supporting that decision, including the findings of any surveys, monitoring or investigations carried out. In this context, the provisions with regard to the minimum sampling requirements set out in Annex II, point 6, do not apply.

2. Radon

Representative surveys shall be undertaken to determine the scale and nature of likely exposures to radon in water intended for human consumption originating from different types of ground water sources and wells in different geological areas. The surveys shall be designed in such a way that underlying parameters, and especially the geology and hydrology of the area, radioactivity of rock or soil, and well type, can be identified and used to direct further action to areas of likely high exposure. Monitoring of radon concentrations shall be undertaken where there is reason to believe , on the basis of the results of the representative surveys or other reliable information, that the parametric value might be exceeded.

3. Tritium

Monitoring of drinking water intended for human consumption for tritium shall be carried out where an anthropogenic source of tritium or other artificial radionuclides is present within the catchment and it cannot be shown on the basis of other surveillance programmes or investigations that the level of tritium is below its parametric value 100 Bq/l. Where monitoring for tritium is required, it shall be carried out at the frequencies indicated in **the** table~~s A or B~~. If the tritium exceeds its parametric value an investigation of the presence of other artificial radionuclides shall be required.

4. Indicative Dose

Monitoring of water intended for human consumption for the Indicative Dose (ID) shall be carried out where a source of artificial or elevated natural radioactivity is present and it cannot be shown on the basis of other representative monitoring programmes or other investigations that the level of ID is below its parametric value of 0.1 mSv. Where monitoring for artificial radionuclide levels is required, it shall be carried out at the frequency indicated in **the** table~~s A or B~~. Where monitoring for natural radionuclide levels is required, Member States shall define the frequency of the monitoring of either gross alpha activity, gross beta activity or individual natural radionuclides depending on the screening strategy adopted by the Member States (according to Annex III). The monitoring frequency may vary from a single check measurement to the frequencies indicated in **the** table~~s A or B~~. Where only a single check for natural radioactivity is required, a re-check shall be required at least where any change occurs in relation to the supply likely to influence the concentrations of radionuclides in water intended for human consumption.

5. Water treatment

Where treatment to reduce the level of radionuclides in water intended for human consumption has been undertaken, monitoring shall be carried out at the frequencies indicated in **the** table~~s A or B~~ to ensure the continued efficacy of this treatment.

6. Minimum sampling and analysis frequencies

The minimum sampling and analysis frequency for monitoring shall be as set out in the following tables:

TABLE ~~A~~

Minimum sampling and analysis frequency of monitoring for water intended for human consumption supplied from a distribution network or from a tanker or used in a food production undertaking

Volume of water distributed or produced each day within a supply zone (Notes 1 and 2) m^3	Number of samples per year (Notes 3 and 4)
volume ≤ 100	(Note 5)
100 < volume ≤ 1 000	1
1 000 < volume ≤ 10 000	1 + 1 for each 3 300 m^3/d and part thereof of the total volume
10 000 < volume ≤ 100 000	3 + 1 for each 10 000 m^3/d and part thereof of the total volume
volume > 100 000	10 + 1 for each 25 000 m^3/d and part thereof of the total volume

Note 1: A supply zone is a geographically defined area within which water intended for human consumption comes from one or more sources and within which water quality may be considered as being approximately uniform.

Note 2: The volumes are calculated as averages taken over a calendar year. A Member State may use the number of inhabitants in a supply zone instead of the volume of water to determine the minimum frequency, assuming a water consumption of 200 l/day/capita.

Note 3: As far as possible, the number of samples should be distributed equally in time and location.

Note 4: In the event of intermittent short-term supply the monitoring frequency of water distributed by tankers is to be decided by the Member State concerned.

Note 5: The frequency is to be decided by the Member State concerned.

~~**TABLE B**~~

~~**Minimum frequency of sampling and analysis for water put into bottles or containers intended for sale**~~

~~Volume of water produced for offering for sale in bottles or containers each day (*) m^3~~	~~**Number of samples per year**~~
~~**≤60**~~	~~**1**~~
~~**>60**~~	~~**1 sample and 1 additional sample for each 500 m^3 and part thereof of the total volume (**)**~~

~~*(*) The volumes are calculated as averages taken over a calendar year.*~~

~~*(**) Not more than 4 samples per year.*~~

7. Averaging

Where a parametric value is exceeded in a particular sample, Member States shall define the extent of resampling necessary to ensure that the measured values are representative of an average activity concentration for a full year**.**

ANNEX III

Monitoring for Indicative Dose and analytical performance characteristics

1. Monitoring for compliance with the Indicative Dose (ID)

Member States may use various reliable screening strategies to indicate the presence of radioactivity in water intended for human consumption. These strategies may include screening for certain radionuclides, or screening for an individual radionuclide, or gross alpha activity or gross beta activity screening.

a) screening for certain radionuclides, or screening for an individual radionuclide

If one of the activity concentrations exceeds 20% of the corresponding derived value or the tritium concentration exceeds its parametric value of 100 Bq/l, an analysis of additional radionuclides shall be required. The radionuclides to be measured shall be defined by Member States taking into account all relevant information about likely sources of radioactivity.

b) screening strategies for gross alpha activity and gross beta activity

Member States may use screening strategies for gross alpha activity and gross beta activity[1] to monitor for the parametric indicator value for ID.

For this purpose gross alpha or gross beta screening levels shall be set. The recommended screening level for gross alpha is 0.1 Bq/l. The recommended screening level for gross beta is 1.0 Bq/l.

[1] Where appropriate gross beta activity may be replaced by residual beta activity after subtraction of the K-40 activity concentration.

If the gross alpha activity and gross beta activity are less than 0.1 Bq/l and 1.0 Bq/l respectively, the Member State may assume that the ID is less than the parametric value of 0.1 mSv and radiological investigation is not needed unless it is known from other sources of information that specific radionuclides are present in the water that are liable to cause a ID in excess of 0.1 mSv.

If the gross alpha activity exceeds 0.1 Bq/l or the gross beta activity exceeds 1.0 Bq/l, analysis for specific radionuclides shall be required.

Member States may set alternative screening levels for gross alpha and gross beta where they can demonstrate that the alternative levels are in compliance with the ID of 0.1 mSv.

The radionuclides to be measured shall be defined by Member States taking into account all relevant information about likely sources of radioactivity. Since elevated levels of tritium may indicate the presence of other artificial radionuclides, tritium, gross alpha activity and gross beta activity should be measured in the same sample.

2. Calculation of the Indicative Dose (ID)

The ID shall be calculated from the measured radionuclide concentrations and the dose coefficients laid down in Annex III, Table A of Directive 96/29/Euratom or more recent information recognised by the competent authorities in the Member State, on the basis of the annual intake of water (730 l for adults). Where the following formula is satisfied, Member States may assume that the ID is less than the parametric value of 0.1 mSv and no further investigation shall be required:

$$\sum_{i=1}^{n} \frac{C_i(obs)}{C_i(der)} \leq 1 \quad (1)$$

where

$C_i(obs)$ = observed concentration of radionuclide i

$C_i(der)$ = derived concentration of radionuclide i

n = number of radionuclides detected.

Derived concentrations for radioactivity in water intended for human consumption[1]

Origin	Nuclide	Derived concentration
Natural	U-238[2]	3.0 Bq/l
	U-234[2]	2.8 Bq/l
	Ra-226	0.5 Bq/l
	Ra-228	0.2 Bq/l
	Pb-210	0.2 Bq/l
	Po-210	0.1 Bq/l
Artificial	C-14	240 Bq/l
	Sr-90	4.9 Bq/l
	Pu-239/Pu-240	0.6 Bq/l
	Am-241	0.7 Bq/l
	Co-60	40 Bq/l
	Cs-134	7.2 Bq/l
	Cs-137	11 Bq/l
	I-131	6.2 Bq/l

1. This table includes values for the most common natural and artificial radionuclides; these are precise values, calculated for a dose of 0.1 mSv, an annual intake of 730 litre and using the dose coefficients laid down in Annex III, Table A of Directive 96/29/Euratom; derived concentrations for other radionuclides can be calculated on the same basis, and values can be updated on the basis of more recent information recognised by the competent authorities in the Member State.

2. This table allows only for the radiological properties of uranium, not for its chemical toxicity.

3. Performance characteristics and methods of analysis

For the following parameters and radionuclides, the method of analysis used must, as a minimum, be capable of measuring activity concentrations with a limit of detection specified below:

Parameters and radionuclides	Limit of detection (Notes 1, 2)	Notes
Tritium	10 Bq/l	Note 3
Radon	10 Bq/l	Note 3
gross alpha gross beta	0.04 Bq/l 0.4 Bq/l	Note 4 Note 4
U-238	0.02 Bq/l	
U-234	0.02 Bq/l	
Ra-226	0.04 Bq/l	
Ra-228	0.02 Bq/l	Note 5
Pb-210	0.02 Bq/l	
Po-210	0.01 Bq/l	
C-14	20 Bq/l	
Sr-90	0.4 Bq/l	
Pu-239/Pu-240	0.04 Bq/l	
Am-241	0.06 Bq/l	
Co-60	0.5 Bq/l	
Cs-134	0.5 Bq/l	
Cs-137	0.5 Bq/l	
I-131	0.5 Bq/l	

Note 1: the limit of detection shall be calculated according to the ISO standard 17025: Determination of the detection limit and decision thresholds for ionizing radiation measurements-Part 7: Fundamentals and general applications, with probabilities of errors of 1st and 2nd kind of 0.05 each.
Note 2: measurement uncertainties shall be calculated and reported as complete standard uncertainties, or as expanded standard uncertainties with an expansion factor of 1.96, according to the ISO Guide for the Expression of Uncertainty in Measurement
Note 3: the limit of detection for tritium and for radon is 10% of its parametric value of 100 Bq/l
Note 4: the limit of detection for gross alpha activity and gross beta activities are 40% of the screening values of 0.1 and 1.0 Bq/l respectively
Note 5: This Limit of Detection applies only to initial screening for Indicative Dose -for a new water source; if initial checking indicates that it is not plausible that Ra-228 exceeds 20% of the derived concentration, the limit of detection may be increased to 0.08 Bq/l for routine Ra-228 nuclide specific measurements, until a subsequent re-check is required.

ANNEX B

DRAFT STATEMENT OF THE EUROPEAN COMMISSION

Upon revision of the Directive 98/83/EC, the Commission will propose that the provisions of the Directive 98/83/EC which fall into the scope of this Directive will be repealed for the sake of legal clarity. Future amendments in Directive 98/83/EC that may also be relevant for the Directive under consideration will, where appropriate, be proposed by the Commission to be included in the Directive under consideration to avoid inconsistencies.

DRAFT STATEMENT OF THE EUROPEAN COMMISSION

Taking into account the role of monitoring requirements in order to be able to maintain a high quality of water intended for human consumption the Commission intends to keep itself abreast of relevant scientific and technical developments and to propose amendments to Annex II and/or Annex III when justified in the light of these developments.