



Council of the  
European Union

Brussels, 21 October 2019  
(OR. en)

13165/19

---

---

**Interinstitutional File:**  
**2018/0169(COD)**

---

---

ENV 856  
SAN 431  
CONSOM 276  
AGRI 504  
CODEC 1493

**NOTE**

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	10278/19
No. Cion doc.:	9498/18 + ADD 1 - COM(2018) 337 final + Annex
Subject:	Proposal for a Regulation of the European Parliament and of the Council on minimum requirements for water reuse - First trilogue

Following the first trilogue on the abovementioned proposal, which took place in Brussels, on 10 October 2019, delegations will find in the Annex, for information, the 4-column table that had served as the basis for negotiations.

**Proposal for a Regulation of the European Parliament and of the Council on minimum requirements for water reuse**

<b>COMMISSION PROPOSAL</b>	<b>EUROPEAN PARLIAMENT</b>	<b>COUNCIL POSITION</b> <b>(General approach 26 June 2019)</b>	<b>COMMENTS</b>
<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,</p> <p>Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,</p> <p>Having regard to the proposal from the European Commission,</p> <p>After transmission of the draft legislative act to the national parliaments,</p> <p>Having regard to the opinion of the European Economic and Social Committee<sup>1</sup>,</p> <p>Having regard to the opinion of the Committee of the Regions<sup>2</sup>,</p> <p>Acting in accordance with the</p>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
ordinary legislative procedure,  <sup>1</sup> OJ C , , p. . <sup>2</sup> OJ C , , p. .			
<b>Amendment 1</b> <b>Recital 1</b>			
(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.	(1) The water resources of the Union are increasingly coming under pressure, leading to water scarcity and quality deterioration. In particular, climate change, <b><i>unpredictable weather patterns</i></b> and drought are contributing significantly to the strain on the availability of freshwater, arising from urban development and agriculture.		
<b>Amendment 2</b> <b>Recital 2</b>			
(2) The Union's ability to respond to the increasing <b><i>pressure</i></b> 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>3</sup> mentions <b><i>the reuse of water</i></b> as one of the supplementary measures Member States may choose to apply to achieve the	(2) The Union's ability to respond to the increasing <b><i>pressures</i></b> on water resources could be enhanced by wider reuse of treated waste water, <b><i>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</i></b>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>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.</p> <p><sup>3</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>4</sup> Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ L 135, 30.5.1991, p. 40).</p>	<p><i>of urban waste water, while ensuring a high level of environmental protection.</i></p> <p>Directive 2000/60/EC of the European Parliament and of the Council<sup>15</sup> mentions <i>water</i> reuse, <i>in combination with the promotion of the use of water-efficient technologies in industry and water-saving irrigation techniques</i>, 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.</p> <p><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).</p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
Amendment 3 Recital 2a (new)			
	<i>(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.</i>		
Amendment 4 Recital 3			
(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 <i>water reuse for irrigation or industrial purposes as an alternative water supply option requiring Union attention.</i>	(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 <i>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</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<p><i>reduce water scarcity and lessen the vulnerability of supply systems.</i></p> <p><sup>17</sup> COM(2012) 673.</p>		
<p><sup>5</sup> COM(2012) 673.</p>			
<p><b>Amendment 5</b> <b>Recital 4</b></p>			
<p>(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>6</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.</p>	<p>(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. <b><i>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.</i></b> 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</p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<sup>6</sup> COM(2007) 414.	<p>circumstances and taking into account of the cost benefit dimension, serve as an alternative approach to mitigate the impacts of severe drought.</p> <p><sup>18</sup> COM(2007) 414.</p>		
<p align="center"><b>Amendment 6</b> <b>Recital 4a (new)</b></p>			
	<p><i>(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.</i></p>	<p><b>(4a) The European Parliament in its Resolution of 9 October 2008 on addressing the challenge of water scarcity and droughts in the European Union<sup>7</sup>, recalls that a demand-side approach should be preferred when managing water resources and considers, however, that the EU 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.</b></p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<sup>1a</sup> <i>OJ C 9 E, 15.1.2010, p. 33.</i>	<sup>7</sup> 2008/2074 (INI)	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 7</b>			
<b>Recital 5</b>			
(5) In its Action Plan for the Circular Economy <sup>7</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. <i><b>The Commission should update its Action Plan and keep water resources as a priority area in which to intervene.</b></i>		
<sup>7</sup> COM(2015) 614.	<sup>19</sup> COM(2015) 614.		
<b>Recital 5a (new)</b>			
		<b>(5a) The purpose of this legal instrument on water reuse is to facilitate the uptake of water reuse whenever it is appropriate and cost-efficient, thereby creating an enabling framework for those Member States who wish or need to practice water reuse. Water reuse is a promising option for many Member States, but currently only a small part of them practice water reuse and adopted</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		national legislation or standards in this regard. This legal instrument should be flexible enough to allow the continuation of water reuse and at the same time to ensure the possibility for other Member States to apply these rules when they decide to introduce this practice at a later stage.	
Amendment 8 Recital 6			
(6) Reuse of appropriately treated waste water, for example from urban waste water treatment plants <i>or industrial installations</i> , 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 <i>or</i> 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.	(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, <i>which could reduce water wastage and save water</i> , only occurs to a limited extent in the Union. This appears to be partly due to <i>the significant cost of waste water reuse system and</i> the lack of common Union environmental <i>and</i> health standards for water reuse, and, as regards in particular agricultural products, the potential <i>health and</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>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.</i>		
Amendment 9 Recital 6a (new)			
	<i>(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.</i>		
Amendment 10 Recital 6b (new)			
	<i>(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</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>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.</i>		
Amendment 11 Recital 6c (new)			
	<i>(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.</i>		
Amendment 12 Recital 7			
(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	(7) <b>Equivalent</b> 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	(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	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>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 <i>and</i> 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.</p> <p><b><i>In order to identify stricter or additional requirements for water quality, the reclamation plant operators</i></b> 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.</p>	<p>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, <b><i>the frequency of monitoring and key risk management tasks</i></b>. 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.</p> <p><b><i>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</i></b> should perform key risk management tasks, <b><i>in cooperation at least with the reclaimed water</i></b></p>	<p>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. [...]. The parameters are based on the technical report of the Commission Joint Research Center and reflect the international standards on water reuse.</p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<p><i>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.</i> The parameters are based on the technical report of the Commission Joint Research Centre and reflect the international standards on water reuse. <i>The Commission Joint Research Centre should develop parameters and measurement methods to identify the presence of microplastics and pharmaceutical residues in reclaimed water.</i></p>		
<p align="center"><b>Amendment 13</b> <b>Recital 7a (new)</b></p>			
	<p><i>(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</i></p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>microplastics in urban waste water treated in accordance with Directive 91/271/EEC and reclaimed in accordance with this Regulation.</i>		
<b>Recital 7a (new)</b>			
		<b>(7a) Water reuse for agricultural irrigation can also contribute to the promotion of the circular economy by recovering nutrients from the reclaimed water and applying them to crops, by means of fertigation techniques. Thus, water reuse could potentially reduce the need for supplemental applications of mineral fertiliser.</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 14</b> <b>Recital 7b (new)</b>			
	<i>(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.</i>		
<b>Recital 7b (new)</b>			
		<b>(7b) The high investments needed for the upgrading of urban waste water treatment plants and the lack of financial incentives for implementing water reuse in agriculture have been identified among the reasons for low uptake of water reuse in Europe. These issues can be addressed by promoting innovative schemes and economic incentives to appropriately account for the costs and the socio-economic and environmental benefits of water reuse.</b>	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 15</b> <b>Recital 7c (new)</b>			
	<i>(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.</i>		
<b>Amendment 16</b> <b>Recital 7d (new)</b>			
	<i>(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.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 17</b> <b>Recital 8</b>			
(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 as well as a substantial increase in recycling and safe reuse <i>of water</i> 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.	(8) The adherence to minimum requirements for water reuse should <i>be consistent with Union water policy and</i> 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 as well as a substantial increase in recycling <i>of water</i> and safe <i>water</i> reuse globally <i>with a view to contributing to achieving United Nations Sustainable Development Goal 12, on sustainable consumption and production</i> . Furthermore, this Regulation seeks to ensure the application of Article 37 on environmental protection of the Charter of Fundamental Rights of the European Union.		
<b>Amendment 18</b> <b>Recital 8a (new)</b>			
	<i>(8a) The quality requirements for</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<p><i>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.</i></p> <p><sup>1a</sup> <i>Directive (EU) .../... on the quality of water intended for human consumption (OJ L ..., ..., p. ...).</i></p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Recital 8a (new)</b>			
		<b>(8a) There is a great potential for recycling and reusing of treated waste water. In order to encourage the recycling and reuse at national level, the treated waste water can be used for other purposes than those established by this Regulation, as considered necessary in line with the national characteristics and needs. To this end, national provisions on water reuse could be adopted in order to ensure the protection of the environment and human health from such uses.</b>	
<b>Amendment 19 Recital 8b (new)</b>			
	<b><i>(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</i></b>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>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.</i>		
<b>Amendment 20</b> <b>Recital 9</b>			
(9) Risk management should comprise identifying and managing risks in a proactive way and incorporate the concept of <b>producing</b> 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.	(9) Risk management should comprise identifying and managing risks in a proactive way and incorporate the concept of <b>production, distribution, storage and use of</b> reclaimed water of a quality required for particular uses. The risk assessment should be based on key risk management tasks <b>and on a thorough application of, inter alia, the precautionary principle</b> , and should identify any additional water quality requirements necessary to ensure sufficient protection of the environment, human and animal health. <b>Risk management should be a responsibility shared among all the relevant actors involved in the Water Reuse Risk Management</b>	(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 <b>elements of</b> risk management [...] and should identify any additional water quality requirements necessary to ensure sufficient protection of the environment, human and animal health. <b>For this purpose, the water reuse risk management plans should ensure that reclaimed water is safely used and managed and there are no risks to human and animal health and the environment. In order to develop these risk management</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>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.</i>	plans, existing international guidance or standards such as ISO 20426:2018 Guidelines for health risk assessment and management for non-potable water reuse, ISO 16075:2015 Guidelines for treated waste water use for irrigation projects or WHO guidelines <sup>9</sup> could be used. Special attention should be given to the protection of bodies of water used for the abstraction of water intended for human consumption and/or relevant safeguards zones.  <sup>9</sup> <a href="https://www.who.int/water_sanitation_health/publications/gsuweg2/en/">https://www.who.int/water_sanitation_health/publications/gsuweg2/en/</a>	
<b>Amendment 21</b> <b>Recital 9a (new)</b>			
	<i>(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</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>reclaimed water in line with demand from end-users.</i>		
<p align="center"><b>Amendment 22</b> <b>Recital 10</b></p>			
<p>(10) In order to effectively protect the environment and human health, reclamation <b>plant</b> 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 <b>plant</b> 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.</p>	<p>(10) In order to effectively protect the environment, <b>including soil quality</b>, and human health, reclamation <b>facility</b> operators should be primarily responsible for the quality of reclaimed water <b>at the point of compliance</b>. For the purposes of compliance with the minimum requirements and any additional conditions, set by the competent authority, reclamation <b>facility</b> operators should monitor the quality of reclaimed water <b>in accordance with the minimum requirements and any additional conditions set by the competent authorities</b>. 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</p>	<p>(10) In order to effectively protect [...] human <b>and animal health and the environment</b>, reclamation plant operators should be primarily responsible for the quality of reclaimed water <b>up to the point of compliance</b>. 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.</p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	specified in accordance with Directive 91/271/EEC.		
<b>Recital 10a (new)</b>			
		(10a) Reclaimed water covered by the requirements of this Regulation is obtained from waste water that has been collected in collecting systems and that has been treated in urban waste water treatment plants in accordance with Directive 91/271/EEC and that follows further treatment (either in the urban waste water treatment plant or in a reclamation plant) to meet the parameters set out in Annex I of this Regulation. In accordance with Article 3(1) of Directive 91/271/EEC, agglomerations of less than 2000 population equivalent (p.e.) do not have the obligation to be provided with a collecting system. However, urban waste water from agglomerations of less than 2000 p.e. entering a collecting systems should be subject to appropriate treatment before this waste water	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		<p>is discharged to fresh water and estuaries, in accordance with Article 7 of Directive 91/271/EEC. In this context, waste water from agglomerations of less than 2000 p.e. would fall under the scope of this Regulation only when it enters a collecting system and is subject to treatment in an urban waste water treatment plant. In a similar way, this Regulation does not regard biodegradable industrial waste water from plants belonging to the industrial sectors listed in Annex III of Directive 91/271/EEC, unless the waste water from these plants enters a collecting system and is subject to treatment in an urban waste water treatment plant.</p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Recital 10b (new)</b>			
		<p><b>(10b) The reuse of treated urban waste water for agricultural irrigations is a market driven action, based on demands and needs of the agricultural sector, in particular in certain Member States facing water resource shortages. The reclamation plant operators and the end users should cooperate to ensure that reclaimed water quality produced in accordance with the minimum requirements established by this Regulation meet the needs of the end users regarding crop categories. In cases where the water quality classes produced by the reclamation plant operators are not compatible with the crop category and irrigation method already in place in the served area (e.g. in a collective supply system), water quality requirements could be obtained using at a subsequent stage several water treatment options alone or in combination with other non-treatment options of</b></p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		the reclaimed water, in line with multi-barrier approach.	
<p align="center"><b>Amendment 23</b> <b>Recital 11</b></p>			
<p>(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.</p>	<p>(11) It is necessary to ensure the safe <i>supply, storage and</i> use of reclaimed water, thereby encouraging <i>the development of</i> water reuse at Union level, <i>encouraging Union farmers in particular to adopt this practice</i> and enhancing public confidence in it. <i>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.</i> Supply <i>and storage</i> of reclaimed water for particular uses should therefore only be permitted on the basis of a permit, granted by competent authorities of Member</p>	<p>(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. [...] <b>Production and supply of</b> reclaimed water for [...] <b>agricultural irrigation</b> should therefore only be permitted on the basis of a permit <b>or authorisation</b>, 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 <b>or authorisation</b> should be laid down at the Union level. However, the details of the procedures for granting permits <b>or authorisations, such as the competent authorities and deadlines</b>, should be determined by Member States. Member States should be able to apply existing procedures for granting permits <b>or authorisations</b> which should be adapted to take</p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	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, <i>the competent authorities of which are themselves responsible for assessing the risks linked to water reuse</i> . 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.	account of the requirements introduced by this Regulation. <b>When designating the responsible party(ies) or authority(ies) for the elaboration of the Water Reuse Risk Management Plan and the competent authority for the granting of the permit or authorisation for production and supply of reclaimed water, Member States should ensure that there is no conflict of interests.</b>	
<b>Amendment 24</b> <b>Recital 11a (new)</b>			
	<i>(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</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>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.</i>		
<p align="center"><b>Amendment 25</b> <b>Recital 11b (new)</b></p>			
	<i>(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</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>assessment for the purposes of safe distribution and storage of reclaimed water to the end-user.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 26</b> <b>Recital 12</b>			
(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 <i>and</i> animal <i>health</i> , and <i>environmental</i> risks, <i>the reclamation plant operators and</i> the competent authorities should therefore <i>take into account</i> the requirements laid down in other relevant Union legislation, in particular Council Directives 86/278/EEC, 91/676/EEC <sup>8</sup> and 98/83/EC <sup>9</sup> , Directives 91/271/EEC and 2000/60/EC, Regulations (EC) No 178/2002 <sup>10</sup> , (EC) No 852/2004 <sup>11</sup> , (EC) No 183/2005 <sup>12</sup> , (EC) No 396/2005 <sup>13</sup> and (EC) 1069/2009 <sup>14</sup> of the European Parliament and of the Council, Directives 2006/7/EC <sup>15</sup> , 2006/118/EC <sup>16</sup> , 2008/105/EC <sup>17</sup> and 2011/92/EU <sup>18</sup> of the European Parliament and of	(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 <i>plant health</i> risks <i>in addition to those relating to environmental protection, when applicable</i> , the competent authorities should therefore <i>comply with</i> 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		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>the Council, Commission Regulations (EC) No 2073/2005<sup>19</sup>, (EC) No 1881/2006<sup>20</sup> and (EC) 142/2011<sup>21</sup></p> <p><sup>8</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).</p> <p><sup>9</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).</p> <p><sup>10</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).</p> <p><sup>11</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).</p> <p><sup>12</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).</p>	<p>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>.</p> <p><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).</p> <p><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).</p> <p><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).</p> <p><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).</p> <p><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).</p>		



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p><sup>13</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).</p> <p><sup>14</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).</p> <p><sup>15</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).</p> <p><sup>16</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).</p> <p><sup>17</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,</p>	<p><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).</p> <p><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).</p> <p><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).</p> <p><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).</p> <p><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,</p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>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).</p> <p><sup>18</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).</p> <p><sup>19</sup> Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L338 22.12.2005, p.1).</p> <p><sup>20</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).</p> <p><sup>21</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).</p>	<p>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).</p> <p><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).</p> <p><sup>31</sup> Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L338 22.12.2005, p.1).</p> <p><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).</p> <p><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).</p>		
<p align="center"><b>Amendment 27</b> <b>Recital 12a (new)</b></p>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>(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.</i>		
<b>Recital 13</b>			
(13) Regulation (EC) 852/2004 lays down general rules for food business operators and covers the production, processing, distribution and placing on the market of food intended for human consumption. That Regulation addresses the health quality of food and one of its main principles is that the primary responsibility for food safety is borne by the food business operator. That Regulation is also subject to detailed guidance, of particular relevance being the Commission Notice on guidance document on addressing		(13) Regulation (EC) 852/2004 lays down general rules for food business operators and covers the production, processing, distribution and placing on the market of food intended for human consumption. That Regulation addresses the health quality of food and one of its main principles is that the primary responsibility for food safety is borne by the food business operator. That Regulation is also subject to detailed guidance, of particular relevance being the Commission Notice on guidance document on addressing	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
microbiological risks in fresh fruits and vegetables at primary production through good hygiene (2017/C 163/01). The performance targets for reclaimed water laid down in this Regulation do not preclude food business operators from obtaining the water quality required to comply with Regulation 852/2004 using at a subsequent stage several water treatment options alone or in combination with other non-treatment options.		microbiological risks in fresh fruits and vegetables at primary production through good hygiene (2017/C 163/01). The [...] <b>minimum requirements</b> for reclaimed water laid down in this Regulation do not preclude food business operators from obtaining the water quality required to comply with Regulation 852/2004 using at a subsequent stage several water treatment options alone or in combination with other non-treatment options.	
<b>Amendment 28</b> <b>Recital 13a (new)</b>			
	<i>(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</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>of human and animal health and the environment.</i>		
<p align="center"><b>Amendment 29</b> <b>Recital 14</b></p>			
(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 <b><i>clear, comprehensive and updated</i></b> 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. <b><i>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.</i></b>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
Amendment 30 Recital 14a (new)			
	<p><i>(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.</i></p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Recital 15</b>			
<p>(15) Directive 2003/4/EC of the European Parliament and of the Council<sup>22</sup> aims at guaranteeing the right of access to environmental information in the Member States in line with the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters<sup>23</sup> (Aarhus Convention). Directive 2003/4/EC lays down extensive obligations related both to making environmental information available upon request and actively disseminating such information. Directive 2007/2/EC of the European Parliament and of the Council<sup>24</sup>, covers the sharing of spatial information, including data-sets on different environmental topics. It is important that provisions of this Regulation related to access to information and data-sharing arrangements complement those Directives and do not create a separate legal regime. Therefore, the provisions</p>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>of this Regulation on information to the public and on information about monitoring of implementation should be without prejudice to Directives 2003/4/EC and 2007/2/EC.</p> <p><sup>22</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).</p> <p><sup>23</sup> OJ L 124, 17.5.2005, p. 4.</p> <p><sup>24</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).</p>			



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Recital 15 bis (new)</b>			
		(15bis) The minimum requirements for the safe reuse of treated urban waste water reflect available scientific knowledge and internationally recognised water reuse standards and practices and guarantee that such water can be safely used for agricultural irrigations, thereby ensuring a high level of protection of human and animal health and the environment. In light of the results of the evaluation of this Regulation or whenever new scientific developments and technical progress so requires, the Commission could examine the need to review the minimum requirements set out in section 2 of Annex I and, where appropriate, should make legislative proposals for amendments in accordance with the Treaty.	
<b>Amendment 31</b>			
<b>Recital 16</b>			
(16) In order to adapt the existing	(16) In order to adapt the existing	(16) In order to adapt [...] the key	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>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>25</sup>. In particular, to ensure equal participation in the</p>	<p>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, <i>without compromising the scope for reusing properly treated waste water</i>. 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-</p>	<p><b>elements of</b> risk management [...] 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 key <b>elements of</b> risk management [...]. [...] 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>27</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.</p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>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.</p> <p><sup>25</sup> OJ L 123, 12.5.2016, p. 1.</p>	<p>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.</p> <p><sup>37</sup> OJ L 123, 12.5.2016, p. 1</p>	<p><sup>27</sup> OJ L 123, 12.5.2016, p. 1.</p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Recital 17</b>			
<p>(17) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission for the adoption of detailed rules regarding the format and presentation of the information to be provided to the public by Member States, regarding the format and presentation of the information on monitoring of the implementation of this Regulation to be provided by the Member States and regarding the format and presentation of the information as regards the Union-wide overview drawn up by the European Environmental Agency Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>26</sup>.</p> <p><sup>26</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of</p>		<p>(17) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission for the adoption of detailed rules [...] regarding the format and presentation of the information on monitoring of the implementation of this Regulation to be provided by the Member States and regarding the format and presentation of the information as regards the Union-wide overview drawn up by the European Environmental Agency Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>28</sup>.</p> <p><sup>28</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of</p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
implementing powers (OJ L 55, 28.2.2011, p. 13).		implementing powers (OJ L 55, 28.2.2011, p. 13).	
<b>Amendment 32</b> <b>Recital 18</b>			
(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 <b>plant</b> operator to take the necessary measures to ensure compliance. The operators of reclamation <b>plants</b> should immediately suspend any supply of the reclaimed water when non-compliance causes a significant risk to the environment or to human health.	(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 <b>facility</b> operator to take the necessary measures to ensure compliance. The operators of reclamation <b>facilities</b> should immediately suspend any supply of the reclaimed water when non-compliance <b>exceeds specified maximum values, and as a result</b> causes a significant risk to the environment or to human health. <b><i>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.</i></b>	(18) Competent authorities should verify compliance of the reclaimed water with the conditions set out in the permit <b>or authorisation</b> . In cases of non-compliance, they should require the [...] <b>responsible party(ies) or authority(ies)</b> to take the necessary measures to ensure compliance. [...] Supply of the reclaimed water <b>should be suspended</b> when non-compliance causes a significant risk to the environment or to human health.	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Recital 19</b>			
(19) Competent authorities should cooperate with other relevant authorities, by exchanging information, in order to ensure compliance with relevant Union and national requirements.			
<b>Recital 20</b>			
(20) Data provided by Member States is essential to enable the Commission to monitor and assess the performance of the legislation against the objectives it pursues.			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Recital 21</b>			
(21) Pursuant to paragraph 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making, the Commission should carry out an evaluation of this Regulation. The evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and EU value added and should provide the basis for impact assessments of possible further measures.			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Recital 22</b>			
(22) In accordance with the Aarhus Convention members of the public concerned should have access to justice in order to contribute to the protection of the right to live in an environment which is adequate for health and well-being of individuals.		[...]	
<b>Recital 23</b>			
(23) Member States should lay down rules on penalties applicable to infringements of the provisions of this Regulation and ensure that they are implemented. The penalties should be effective, proportionate and dissuasive.			
<b>Recital 24</b>			
(24) Since the objectives of this Regulation, namely the protection of environment and human health, cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the		(24) Since the objectives of this Regulation, namely the protection of [...] human <b>and animal</b> health <b>and the environment</b> , cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.		in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	
<b>Recital 25</b>			
(25) It is necessary to provide for sufficient time for Member States to set up the administrative infrastructure necessary for the application of this Regulation as well as for operators to prepare for the application of the new rules,			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
Amendment 33 Recital 25a (new)			
	<i>(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.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Recital 25a (new)</b>			
		(25a) Directive 2000/60/EC provides Member States with the necessary flexibility to include supplementary measures in the programmes of measures adopted to support their efforts to achieve the water quality objectives as established by this Directive. The non-exclusive list of supplementary measures provided for in Annex VI Part B of Directive 2000/60/EEC contains, among others, water reuse measures. In this context and in line with the hierarchy of measures that could be considered by the Member States in managing water scarcity and droughts and that encourages with priority measures from water saving to water pricing policy and alternative solutions, and taking due account of the cost-benefit dimension, the minimum requirements for water reuse, as established by this Regulation, should be applicable whenever treated urban waste	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		water from urban waste water treatment plants is reused, in accordance with Article 12(1) of the Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment, for agricultural irrigation.	
Amendment 34 Recital 25b (new)			
	<i>(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.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
Amendment 35 Recital 25c (new)			
	<i>(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.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
HAVE ADOPTED THIS REGULATION:			
<p style="text-align: center;"><i>Article 1</i> <i>Subject matter and purpose</i></p>			
<p style="text-align: center;"><b>Amendment 36</b> <b>Article 1 - paragraph 1</b></p>			
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 <b>reclaimed</b> 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, <b>and contributes to the objectives set out in Directive 2000/60/EC.</b>	1. This Regulation lays down minimum requirements for water quality and monitoring and the obligation to carry out [...] <b>specific</b> [...] risk management [...], for the safe reuse of treated urban waste water in the context of integrated water management.	
<p style="text-align: center;"><b>Amendment 37</b> <b>Article 1 - paragraph 2</b></p>			
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 <b>also</b> contributing to the efficient	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, <b>and at the same time reducing the adverse effects of the use of water resources and improving efficiency</b> , addressing water scarcity, <b>climate change issues and the environmental</b>	2. The purpose of this Regulation is to guarantee that reclaimed water is safe for [...] <b>agricultural irrigation</b> , thereby ensuring a high level of protection of human and animal health and the environment, <b>promoting the circular economy and supporting adaptation to climate change</b> , addressing water scarcity and the resulting pressure on water resources in a coordinated	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
functioning of the internal market.	<i>objectives of the Union</i> , and the resulting pressure on water resources in a coordinated way throughout the Union, thus contributing to the <i>deployment of sustainable water use solutions, supporting the transition to a circular economy, ensuring the long-term competitiveness of the Union and the</i> efficient functioning of the internal market.	way throughout the Union, thus also contributing to the efficient functioning of the internal market.	
<p style="text-align: center;"><b>Amendment 38</b> <b>Article 1 - paragraph 2a (new)</b></p>			
	<i>2a. Member States shall ensure that water resources used for drinking water purposes are not contaminated with reclaimed water.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>Article 2</i> <i>Scope</i>			
<b>Amendment 39</b> <b>Article 2</b>			
This Regulation shall apply to reclaimed water destined for a use specified in section 1 of Annex I.	<p>This Regulation shall apply to reclaimed water destined for a use specified in section 1 of Annex I.</p> <p><i>This Regulation shall not apply to pilot projects focusing on water reuse in reclamation plants.</i></p>	<b>1. This Regulation shall apply [...] whenever treated urban waste water is reused, in accordance with Article 12(1) of Directive 91/271/EC, for agricultural irrigation as specified in section 1 of Annex I.</b>	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 2 - paragraph 2 (new)</b>			
		<p><b>2. A Member State may decide that it is not appropriate to reuse treated urban waste water for agricultural irrigation in parts of or in its whole territory, taking into account its geographic and climatic conditions, including the quantitative status of groundwater as referred to in the Directive 2000/60/EC, the surface water, the social, environmental and economic effects of reuse and other appropriate solutions to deal with water scarcity and drought.</b></p> <p><b>This decision shall be based on one or more of the criteria referred to in the first subparagraph and shall be communicated to the Commission.</b></p> <p><b>Member State shall review this decision as necessary, in particular taking into account the need to adapt to climate change.</b></p>	
<b>Article 2 - paragraph 2a (new)</b>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		<p><b>2a. By way of derogation, research projects in relation to reclamation plants need not comply with the provisions of this Regulation where the competent authority establishes that the following criteria are met:</b></p> <p><b>a) the research project will not be carried out within a body of water used for the abstraction of water intended for human consumption and/or relevant safeguard zones designated pursuant to Directive 2000/60;</b></p> <p><b>b) the research project will be subject to appropriate monitoring.</b></p> <p><b>Any decision taken pursuant to this paragraph shall be limited to a maximum period of 5 years. All crops resulting from a research project exempted in accordance with this paragraph shall not be placed on the market.</b></p>	
		<b>Article 2 - paragraph 3 (new)</b>	
		<b>3. This Regulation shall apply</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		without prejudice to Regulation 852/2004 and does not preclude food business operators from obtaining the water quality required to comply with Regulation 852/2004 applying at a subsequent stage several water treatment options alone or in combination with other non-treatment options or from using other alternative water sources for agricultural irrigation.	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>Article 3</i> <i>Definitions</i>			
<b>Article 3 - paragraph 1 - point 1</b>			
For the purpose of this Regulation, the following definitions apply:  1. ' <i>competent authority</i> ' means an authority or body designated by a Member State to carry out obligations arising from this Regulation;		For the purpose of this Regulation, the following definitions apply:  1. ' <i>competent authority(ies)</i> ' means an authority(ies) or body(ies) designated by a Member State to carry out obligations arising from this Regulation <b>regarding the granting of the permit or authorisation for production and/or supply of reclaimed water and the checking of the compliance, as well as regarding the granting of derogation for research projects;</b>	
<b>Article 3 - paragraph 1 - point 2</b>			
2. ' <i>water authority</i> ' means an authority or authorities identified in accordance with Article 3(2) or (3) of Directive 2000/60/EC;		[...]	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 40</b> <b>Article 3 - paragraph 1 - point 3</b>			
3. 'end-user' means a natural or legal person who uses reclaimed water;	3. 'end-user' means a natural or legal person, <i>a public or private entity</i> , who uses reclaimed water <i>for the use it is intended for</i> ;		
<b>Article 3 - paragraph 1 - point 4</b>			
4. 'urban waste water' means urban waste water as defined in Article 2(1) of Directive 91/271/EEC;			
<b>Amendment 41</b> <b>Article 3 - paragraph 1 - point 4a (new)</b>			
	<i>4a. 'treated waste water' means urban waste water that has been treated in compliance with the requirements set out in Directive 91/271/EEC;</i>		
<b>Amendment 42</b> <b>Article 3 - paragraph 1 - point 5</b>			
5. 'reclaimed water' means <i>urban waste water that has been treated in compliance with the requirements set out in Directive 91/271/EEC and</i> which results from further treatment in a reclamation <i>plant</i> ;	5. 'reclaimed water' means <i>treated</i> waste water which results from further treatment in a reclamation <i>facility that makes its quality suitable for the use it is intended for</i> ;	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 <b>in accordance with section 2 of Annex I of this Regulation</b> ;	
<b>Amendment 43</b> <b>Article 3 - paragraph 1 - point 5a (new)</b>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>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;</i>		
<b>Amendment 44</b> <b>Article 3 - paragraph 1 - point 6</b>			
6. ' <i>reclamation plant</i> ' means an urban waste water treatment plant or other <i>plant</i> that further treats urban waste water <i>complying</i> with the requirements set out in Directive 91/271/EEC in order to produce water that is fit for a use specified in section 1 of Annex I to this Regulation;	6. 'reclamation <i>facility</i> ' means <i>a part of</i> an urban waste water treatment plant or other <i>facility</i> that further treats urban waste water <i>previously treated in accordance</i> with the requirements set out in Directive 91/271/EEC in order to produce <i>reclaimed</i> water that is fit for a use specified in section 1 of Annex I to this Regulation <i>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;</i>		
<b>Amendment 45</b> <b>Article 3 - paragraph 1 - point 7</b>			
7. ' <i>reclamation plant operator</i> '	7. 'reclamation <i>facility</i> operator'		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
means a natural or legal person who operates or controls a reclamation <i>plant</i> ;	means a natural or legal person who operates or controls a reclamation <i>facility</i> ;		
<p style="text-align: center;"><b>Amendment 46</b>  <b>Article 3 - paragraph 1 - point 7a (new)</b></p>			
	<i>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;</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 47</b> <b>Article 3 - paragraph 1 - point 7b (new)</b>			
	<i>7b. 'reclaimed water distribution operator' means a natural or legal person which operates or controls the reclaimed water distribution infrastructure;</i>		
<b>Amendment 48</b> <b>Article 3 - paragraph 1 - point 7c (new)</b>			
	<i>7c. 'reclaimed water storage infrastructure' means a system of dedicated storage facilities designed to store the reclaimed water;</i>		
<b>Amendment 49</b> <b>Article 3 - paragraph 1 - point 7d (new)</b>			
	<i>7d. 'reclaimed water storage operator' means a natural or legal person that operates or controls reclaimed water storage infrastructure;</i>		
<b>Article 3 - paragraph 1 - point 8</b>			
8. 'hazard' means a biological, chemical, physical or radiological agent that has the potential to cause harm to people, animals, crops or plants, other terrestrial biota, aquatic biota, soils or the general environment;			



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 3 - paragraph 1 - point 9</b>			
9. <i>'risk'</i> means the likelihood of identified hazards causing harm in a specified timeframe, including the severity of the consequences;			
<b>Article 3 - paragraph 1 - point 10</b>			
10. <i>'risk management'</i> is a systematic management that consistently ensures the safety of water reuse in a specific context;			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 50</b>			
<b>Article 3 - paragraph 1 - point 11</b>			
11. <i>'preventive measure'</i> means <b>any</b> 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 <b>appropriate</b> action or activity that can be used to prevent or eliminate a health and environmental risk, or reduce it to an acceptable level;		
<b>Amendment 51</b>			
	<b>Article 3 - paragraph 1 - point 11a (new)</b>  <i>11a. 'point of compliance' means the point where a reclamation facility operator delivers the reclaimed water to the next actor in the chain;</i>	<b>Article 3 - paragraph 1 - point 12 (new)</b>  <i>12. 'point of compliance' means the outlet of the reclamation plant unless defined by the competent authority at a later point where the reclaimed water is delivered by the reclamation plant operator to the next actor in the chain;</i>	
<b>Amendment 52</b>			
<b>Article 3 - paragraph 1 - point 11b (new)</b>			
	<i>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.</i>		
<b>Article 3 - paragraph 1 - point 13 (new)</b>			
		13. <i>'barrier'</i> is any mean,	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		including physical or process steps or conditions of use, that reduces or prevents the risk of human infection by preventing contact of the reclaimed water with the ingested produce and the directly exposed persons, or other mean that, for example, reduces the concentration of microorganisms in the reclaimed water or prevents their survival on the ingested produce;	
<b>Article 3 - paragraph 1 - point 14 (new)</b>			
		14. <i>‘permit or authorisation’</i> means a written approval issued by the competent authority to produce and/or supply reclaimed water for agricultural irrigation in accordance with this Regulation;	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 3 - paragraph 1 - point 15 (new)</b>			
		15. ‘ <i>responsible party(ies) or authority(ies)</i> ’ means a party(ies) or authority(ies), different from competent authority(ies), that carry out obligations arising from this Regulation;	
<b>Article 3 - paragraph 1 - point 16 (new)</b>			
		16. ‘ <i>water reuse system</i> ’ means the group of infrastructures and other technical elements necessary for producing, supplying and using reclaimed water. It comprises all the elements from the inlet of the wastewater treatment plant to the point(s) where reclaimed water is applied for agricultural irrigation.	
<i>Article 4</i>			
<b>Amendment 53</b>			
<b>Article 4 - title</b>			
Obligations of reclamation <i>plant</i> operators as regards water quality	Obligations of reclamation <i>facility</i> operators as regards water quality	<i>Obligations [...] regarding reclaimed water quality</i>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 54</b> <b>Article 4 - paragraph 1</b>			
1. Reclamation <i>plant</i> operators shall ensure that reclaimed water destined for a use specified in section 1 of Annex I, shall, at the <b><i>outlet of the reclamation plant (point of compliance)</i></b> , comply with the following:	1. Reclamation <i>facility</i> operators shall ensure that reclaimed water destined for a use specified in section 1 of Annex I, shall, at the <b><i>point of compliance</i></b> , comply with the following:	1. Reclamation plant operators shall ensure that reclaimed water destined for [...] <b>agricultural irrigation as</b> 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.		b) any additional conditions set by the competent authority in the relevant permit <b>or authorisation</b> pursuant to points ([...] c) and ([...] <b>d)</b> of Article[...] <b>6(3)</b> , as regards water quality.  <b>The reclamation plant operator shall not be responsible for the quality of reclaimed water after the point of compliance.</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 4 - paragraph 2</b>			
2. In order to ensure compliance with the requirements and conditions referred to in paragraph 1, the reclamation plant operator shall monitor water quality in accordance with the following:			
(a) 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 monitoring.		b) any additional conditions set by the competent authority in the relevant permit <b>or authorisation</b> pursuant to points ([...] c) and ([...] d) of Article [...] 6(3), as regards monitoring.	
<b>Amendment 55</b>			
<b>Article 4 - paragraph 2a (new)</b>			
	<i>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.</i>		
<b>Amendment 56</b>			
<b>Article 4 - paragraph 2b (new)</b>			
	<i>2b. After the point of compliance, the quality of water shall no</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>longer be the responsibility of the reclamation facility operator, and shall become the responsibility of the next actor in the chain.</i>		
<b>Amendment 57</b> <b>Article 4 - paragraph 3</b>			
<b>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.</b>	<i>deleted</i>	[...]	
<b>Article 4 - paragraph 3 (new)</b>			
		<b>3. The quality requirements laid down in section 2 of Annex I may be accompanied by additional barriers in the water reuse system to guarantee that water meets the quality requirements at the point of end-use in accordance with Regulation 852/2004.</b>	
<b>Amendment 58</b> <b>Article 4a (new)</b>			
	<i>Obligations of reclaimed water distribution operators, reclaimed water storage operators and end-users</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<p><i>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.</i></p> <p><i>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</i></p>		



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<p><i>with points (b) and (c) of Annex II.</i></p> <p><i>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.</i></p> <p><i>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</i></p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<p><i>with points (b) and (c) of Annex II.</i></p> <p><i>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.</i></p> <p><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.</i></p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>Article 5</i>			
<i>Risk management</i>			
<b>Amendment 59</b>			
<b>Article 5 - paragraph -1 (new)</b>			
	<p><i>-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.</i></p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 60</b>			
<b>Article 5 - paragraph 1 - introductory part</b>			
1. For the purposes of <i>producing and supplying</i> reclaimed water <i>risk management shall be undertaken by the reclamation plant operator</i> in consultation with the following actors:	1. For the purpose of <i>ensuring safe production, distribution, storage and use of</i> reclaimed water, <i>the competent authority shall oversee risk management</i> in consultation with the following actors:	[...]	
<b>Amendment 61</b>			
<b>Article 5 - paragraph 1 - point a</b>			
(a) the operator of the urban waste water treatment plant(s) supplying a reclamation <i>plant with water</i> , if different from the reclamation <i>plant</i> operator;	(a) the operator of the urban waste water treatment plant(s) supplying a reclamation <i>facility with treated waste water in accordance with the quality requirement set out in Directive 91/271/EEC</i> if different from the reclamation <i>facility</i> operator;	[...]	
<b>Amendment 62</b>			
<b>Article 5 - paragraph 1 - point aa (new)</b>			
	<i>(aa) the reclamation facility operator;</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
Amendment 63 Article 5 - paragraph 1 - point ab (new)			
	(ab) the reclaimed water distribution operator;		
Amendment 64 Article 5 - paragraph 1 - point ac (new)			
	(ac) the reclaimed water storage operator;		
Article 5 - paragraph 1 - point b			
(b) end-user(s);		[...]	
Amendment 65 Article 5 - paragraph 1 - point c			
(c) any other party deemed relevant by the <i>reclamation plant operator</i> .	(c) any other party deemed relevant by the <i>competent authority</i> .	[...]	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 66</b> <b>Article 5 - paragraph 2</b>			
<p>2. The reclamation <i>plant</i> operator <i>shall draw-up a</i> Water Reuse Risk Management Plan <i>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.</i></p>	<p>2. The reclamation <i>facility</i> operator, <i>the reclaimed water distribution operator and the reclaimed water storage operator shall carry out at least the risk management tasks defined in the</i> Water Reuse Risk Management Plan <i>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.</i></p>	<p>2. [...] For the purpose of producing, supplying and using reclaimed water, the competent authority shall ensure that a Water Reuse Risk Management Plan is established, based on the key elements of risk management [...] set out in Annex II. The Water Reuse Risk Management Plan may cover one or more water reuse systems.</p> <p>The Water Reuse Risk Management Plan shall identify the risk management responsibilities, shall identify potential risks and hazards and their appropriate preventive and/or possible corrective measures and shall propose any additional requirements to those specified in Annex I necessary to further mitigate any risks [...] before the point of compliance.</p>	
<b>Amendment 67</b> <b>Article 5 - paragraph 2a (new)</b>			
	2a. In the relevant permit granted		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>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.</i>		
<p style="text-align: center;"><b>Amendment 68</b> <b>Article 5 - paragraph 2b (new)</b></p>			
	<i>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.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 5 - paragraph 3 (new)</b>			
		<p><b>3. The Water Reuse Risk Management Plan may further identify any additional requirements to those specified in Annex I after the point of compliance and the party(ies) responsible for carrying them out.</b></p> <p><b>The Water Reuse Risk Management Plan may also identify the additional barriers as referred to in Article 4 (3), including conditions related to storage, distribution and use.</b></p>	
<b>Amendment 69</b>			
<b>Article 5 - paragraph 3 - subparagraph 1</b>			
<i>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 Annex II.</i>	<i>deleted</i>	4. 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 <b>elements</b> of risk management [...] set out in Annex II.	
<b>Amendment 70</b>			
<b>Article 5 - paragraph 3 - subparagraph 2</b>			
The Commission is <i>also</i> empowered to adopt, in accordance	The Commission is empowered to adopt, in accordance with Article	[...]	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
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.	14, delegated acts supplementing this Regulation in order to lay down technical specifications of the key risk management tasks set out in Annex II.		
<b>Amendment 133</b> <b>Article 5 - paragraph 3 - subparagraph 2a (new)</b>			
	<i>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.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p align="center"><b>Amendment 71</b>  <b>Article 5 - paragraph 3a (new)</b></p>			
	<p><i>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:</i></p> <p><i>(a) inform immediately the health authority concerned and provide it, if appropriate, with all information available;</i></p> <p><i>(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.</i></p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 5 - paragraph 5 (new)</b>			
		<b>5. The Commission shall, in consultation with Member States, establish guidelines to support the elaboration of the Water Reuse Risk Management Plans within two years after the date of entry into force of this Regulation.</b>	
<i>Article 6</i>			
<b>Amendment 72</b>			
<b>Article 6 - title</b>			
Application for a permit to <b>supply</b> reclaimed water	Application for a permit to <b>produce, distribute and store</b> reclaimed water	<b>[...] Obligations regarding reclaimed water permit or authorisation</b>	
<b>Amendment 73</b>			
<b>Article 6 - paragraph 1</b>			
1. Any <b>supply</b> of reclaimed water destined for a use specified in section 1 of Annex I, shall be subject to a permit.	1. Any <b>production, distribution or storage</b> of reclaimed water destined for a use specified in section 1 of Annex I, shall be subject to a permit.	1. [...] Any <b>production and supply</b> of reclaimed water destined for [...] <b>agricultural irrigation</b> as specified in section 1 of Annex I, shall be subject to a permit <b>or authorisation</b> .	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 74</b> <b>Article 6 - paragraph 2</b>			
2. <i>An</i> 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 <i>plant</i> operates or is planned to operate.	2. <i>A reclamation facility</i> 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 <i>facility</i> operates or is planned to operate.	2. [...] <b>The responsible party(ies) or authority(ies) for reclaimed water</b> shall <del>[-...]</del> <b>apply</b> for the permit <b>or authorisation</b> referred to in paragraph 1, or for a modification of an existing permit <b>or authorisation</b> to the competent authority of the Member State in which the reclamation plant operates or is planned to operate.	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 75</b>			
<b>Article 6 - paragraph 3 - point a</b>			
3. The application shall included the following:  (a) a Water Reuse Risk Management Plan drawn up in accordance with Article <b>5(2)</b> ;	(a) a Water Reuse Risk Management Plan drawn up in accordance with <b>paragraph -1 of</b> Article <b>5</b> ;	3. The [...] permit or authorisation shall be based on the Water Reuse Risk Management Plan and shall include, <b>inter alia</b> , the following:  [...]	
<b>Article 6 - paragraph 3 - point a (new)</b>			
		(a) the quality class(es) of the reclaimed water and allowed agricultural use or uses for which, according to Annex I, the reclaimed water is permitted or authorized, the place of use, the reclamation plant or plants and the estimated yearly volume of the reclaimed water to be produced;	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 76</b>			
<b>Article 6 - paragraph 3 - point aa (new)</b>			
	<i>(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;</i>		
<b>Amendment 77</b>			
<b>Article 6 - paragraph 3 - point b</b>			
(b) description of how the reclamation <b>plant</b> operator will comply with the minimum requirements for water quality and monitoring set out in section 2 of Annex I;	(b) a description of how the reclamation <b>facility</b> operator will comply <b>at the point of compliance</b> with the minimum requirements for water quality and monitoring set out in section 2 of Annex I;	[...]	
<b>Article 6 - paragraph 3 - point b (new)</b>			
		(b) <b>conditions in relation to the minimum requirements for water quality and monitoring set out in section 2 of Annex I;</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 78</b>			
<b>Article 6 - paragraph 3 - point c</b>			
(c) a description of how the reclamation <i>plant</i> operator will comply with the additional requirements proposed in the Water Reuse Risk Management Plan.	(c) a description of how the reclamation <i>facility</i> operator will comply <i>at the point of compliance</i> with the additional requirements proposed in the Water Reuse Risk Management Plan.	[...]	
<b>Article 6 - paragraph 3 - point c (new)</b>			
		(c) conditions in relation to the additional requirements proposed in the Water Reuse Risk Management Plan;	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 6 - paragraph 3 - point d (new)</b>			
		(d) any other conditions necessary to further mitigate any unacceptable risks to human and animal health or the environment;	
<b>Article 6 - paragraph 3 - point e (new)</b>			
		(e) the validity period.	
<b>Amendment 79</b>			
<b>Article 6 - paragraph 3a (new)</b>			
	<i>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.</i>		



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p align="center"><b>Amendment 80</b> <b>Article 6 - paragraph 3b (new)</b></p>			
	<p><i>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.</i></p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>Article 7</i> <i>Granting of the permit</i>			
<b>Amendment 81</b> <b>Article 7 - paragraph 1 - point a</b>			
1. For the purposes of assessing the application, the competent authority shall, if appropriate consult and exchange relevant information with the following:  (a) other relevant authorities of the same Member State, in particular the water <b><i>authority</i></b> , if different than the competent authority;	(a) other relevant authorities of the same Member State, in particular the water <b><i>and health authorities</i></b> , if different than the competent authority;	[...]	
<b>Article 7 - paragraph 1 - point b</b>			
(b) contact points in potentially affected Member State(s) designated in accordance with Article 9(1).		[...]	
<b>Amendment 82</b> <b>Article 7 - paragraph 2</b>			
2. The competent authority shall decide within 3 months from the receipt of the complete application as referred to in <b><i>point (a) of Article 6(3)</i></b> whether to grant the permit. Where the competent authority needs more time due to the	2. The competent authority shall <b><i>assess the application, having recourse to appropriate scientific assistance, and</i></b> decide within 3 months from the receipt of the complete application as referred to in <b><i>paragraphs 2, 3, 3a and 3b of</i></b>	[...]	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
complexity of the application, it shall inform the applicant thereof, indicate the expected date of granting the permit and provide reasons for the extension.	<i>Article 6</i> whether to grant <b>or refuse</b> the permit. Where the competent authority needs more time due to the complexity of the application, it shall inform <b>without delay</b> the applicant thereof <b>and</b> indicate the expected date of granting <b>or refusing</b> the permit and provide reasons for the extension. <b>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.</b>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 7 - paragraph 3 - points a and b</b>			
<p>3. Where the competent authority decides to grant a permit, it shall determine the conditions applicable, which shall include the following, as applicable:</p> <p>(a) conditions in relation to the minimum requirements for water quality and monitoring set out in section 2 of Annex I;</p> <p>(b) conditions in relation to the additional requirements proposed in the Water Reuse Risk Management Plan;</p>		[...]	
<b>Amendment 83</b> <b>Article 7 - paragraph 3 - point c</b>			
(c) any other conditions necessary to further <i>mitigate</i> any unacceptable risks to the human and animal health or the environment.	(c) any other conditions necessary to further <i>eliminate</i> any unacceptable risks to the human and animal health or the environment.	[...]	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 84</b> <b>Article 7 - paragraph 3a (new)</b>			
	<i>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.</i>		
<b>Article 7 - paragraph 4</b>			
4. The permit shall be reviewed regularly and at least every five years and, if necessary, modified.		<b>Article 6</b> 4. The permit <b>or authorisation</b> shall be reviewed regularly and [...], if necessary, modified, <b>in particular in case of a substantial change of the capacity or the technological process of the reclamation plant.</b>	
<b>Article 7 - paragraph 5 (new)</b>			
		<b>Article 6</b> <b>5. Member States may decide that storage, distribution and use of the reclaimed water shall be subject to a specific permit or authorisation to apply the additional requirements and barriers identified in the Water Reuse Risk Management Plan, as</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		referred to in Article 5 (3).	
<i>Article 8</i> <i>Compliance check</i>			
<b>Amendment 85</b> <b>Article 8 - paragraph 1 - introductory part</b>			
1. The competent authority shall verify compliance of the reclaimed water with the conditions set out in the <i>permit, at the point of compliance</i> . 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 <i>permits granted in accordance with Article 7</i> . 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 permit <b>or authorisation</b> , at the point of compliance. The compliance check shall be performed using the following means:	
<b>Article 8 - paragraph 1 - point a</b>			
(a) on-spot checks;			
<b>Article 8 - paragraph 1 - point b</b>			
(b) use of monitoring data obtained pursuant to this Regulation and Directives 91/271/EEC and 2000/60/EC;		b) use of monitoring data obtained <b>in particular</b> pursuant to this Regulation and, <b>if necessary</b> , Directives 91/271/EEC [...];	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 8 - paragraph 1 - point c</b>			
(c) any other adequate means.		c) or any other adequate means.	
<b>Amendment 86</b>			
<b>Article 8 - paragraph 2</b>			
2. In the event of non-compliance, the competent authority shall require the reclamation <i>plant</i> operator to take any necessary measures to restore compliance <i>without delay</i> .	2. In the event of non-compliance, the competent authority shall require the reclamation <i>facility</i> operator, <i>the reclaimed water distribution operator, or the reclaimed water storage operator, as applicable</i> , to take any necessary measures to <i>promptly</i> restore compliance <i>and immediately inform the end-users affected</i> .	2. In the event of non-compliance <b>with conditions set out in the permit or authorisation</b> , the competent authority shall require the [...] <b>responsible party(ies) or authority(ies)</b> to take any necessary measures to restore compliance without delay.	
<b>Amendment 87</b>			
<b>Article 8 - paragraph 3</b>			
3. Where <i>non-compliance causes a significant risk to the environment or to human health</i> , the reclamation <i>plant</i> operator shall immediately suspend any further supply of the reclaimed water <i>until the</i> competent authority <i>determines that compliance has been restored</i> .	3. Where <i>the individual value of any parameter exceeds the minimum water quality requirements set out in point (a) of Section 2 of Annex I</i> , the reclamation <i>facility</i> operator shall immediately suspend any further supply of the reclaimed water. <i>The</i> competent authority <i>may determine that compliance has been restored only after the individual value of the parameter,</i>	3. Where non-compliance causes a significant risk to the environment or to human health, the [...] <b>responsible party(ies) or authority(ies)</b> shall [...] suspend <b>the use</b> of the reclaimed water until the competent authority determines that compliance has been restored.	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>or parameters, exceeding the relevant minimum water quality requirements has been found below the maximum permitted value in at least three consecutive checks.</i>		
<b>Amendment 88</b> <b>Article 8 - paragraph 4</b>			
4. If an incident affecting compliance with the permit's conditions occurs, the reclamation <b>plant</b> 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.	4. If an incident affecting compliance with the permit's conditions occurs, the reclamation <b>facility</b> operator, <b>the reclaimed water distribution operator or the reclaimed water storage operator, as applicable</b> , 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.	4. If an incident affecting compliance with the conditions in the permit <b>or authorisation</b> occurs, the [...] <b>responsible party(ies) or authority(ies)</b> shall [...] inform the competent authority and [...] <b>other parties</b> which may be potentially affected, and communicate to the competent authority the information necessary for assessing the impacts of such an incident.	
<b>Amendment 89</b> <b>Article 8 - paragraph 4a (new)</b>			
	<b>4a. After granting a permit in accordance with Article 7, the competent authority shall regularly verify compliance by the reclamation facility operator, the</b>		



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>reclaimed water distribution operator and the reclaimed water storage operator, with the measures set out in the Water Reuse Risk Management Plan.</i>		
<p style="text-align: center;"><b>Amendment 134</b> <b>Article 8 - paragraph 4b (new)</b></p>			
	<i>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.</i>		
<p style="text-align: center;"><i>Article 9</i> <i>Cooperation between Member States</i></p>			
<p style="text-align: center;"><b>Article 9 - paragraph 1</b></p>			
1. Member States shall designate a contact point to cooperate as appropriate with other Member States' contact points and competent authorities. The role of contact points shall be to provide assistance upon request and		<b>1. Where water reuse is of cross-border relevance</b> , Member States shall designate a contact point <b>or shall use existing structures stemming from international agreements</b> to cooperate as appropriate with other Member	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
coordinate communication between competent authorities. The contact points shall, in particular, receive and transmit requests for assistance.		States' contact points and competent authorities. The role of contact points <b>or existing structures</b> shall be to provide assistance upon request and coordinate communication between competent authorities. <b>Competent authorities shall exchange information on the conditions set out in Article 6(3) before granting the permit or authorization, with the contact point in the Member State in which reclaimed water is intended to be used.</b> The contact points shall, in particular, receive and transmit requests for assistance.	
<b>Article 9 - paragraph 2</b>			
2. Member States shall respond to requests for assistance without undue delay.			
<b>Amendment 91 Article 9a (new)</b>			
	<i>Information awareness-raising campaigns</i>  <i>Member States shall set up information and awareness raising campaigns targeting potential end-users, including</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<p><i>citizens, and concerning the safety of water reuse and the savings of water resources resulting from water reuse.</i></p> <p><i>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</i></p>		
<p style="text-align: center;"><i>Article 10</i> <i>Information to the public</i></p>			
<p style="text-align: center;"><b>Amendment 92</b> <b>Article 10 - paragraph 1 - introductory part</b></p>			
1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, Member States shall ensure that adequate <b>and</b> up-to-date information on reuse <b>of water</b> is available online to the public. That information shall include the following:	1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, <b>and to Article 9(4) of Directive 2000/60/EC</b> , Member States shall ensure that adequate, up-to-date <b>and accessible</b> information on <b>water</b> reuse is available online to the public <b>or through other easy-to-use methods, complying with data protection rules</b> . That information shall include the following:	1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, Member States <b>where reclaimed water is used for the agricultural irrigation as specified in section 1 of Annex I of this Regulation</b> shall ensure that adequate and up-to-date information on reuse of water is available online <b>or by other means</b> to the public. That information shall include the following:	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 10 - paragraph 1 - point a</b>			
(a) the quantity and the quality of the reclaimed water supplied in accordance with this Regulation;			
<b>Amendment 93</b>			
<b>Article 10 - paragraph 1 - point aa (new)</b>			
	<i>(aa) use of reclaimed water as a percentage of total freshwater used for the uses covered by this Regulation;</i>		
<b>Article - paragraph 1 - point b</b>			
(b) the percentage of the reclaimed water in the Member State supplied in accordance with this Regulation compared to the total amount of treated urban waste water;		[...]	
<b>Amendment 94</b>			
<b>Article 10 - paragraph 1 - point ba (new)</b>			
	<i>(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;</i>		
<b>Article 10 - paragraph 1 - point c</b>			
(c) permits granted or modified in accordance with this Regulation, including conditions set by		[...] (b) permits <b>or</b> authorisations granted or modified in accordance with this Regulation, including	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
competent authorities in accordance with Article 7(3);		conditions set by competent authorities in accordance with Article 7 6(3);	
<b>Article 10 - paragraph 1 - point d</b>			
(d) outcome of the compliance check performed in accordance with Article 8(1);		[...] (c) outcome of the compliance check performed in accordance with Article 8(1);	
<b>Article 10 - paragraph 1 - point e</b>			
(e) contact points designated in accordance with Article 9(1).		[...] (d) contact points designated in accordance with Article 9(1).	
<b>Article 10 - paragraph 2</b>			
2. The information referred to in paragraph 1 shall be updated at least once a year.		2. The information referred to in paragraph 1 shall be updated [...] <b>every two years.</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 95</b> <b>Article 10 - paragraph 2a (new)</b>			
	<i>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 relevant Union rules.</i>		
<b>Amendment 96</b> <b>Article 10 - paragraph 3</b>			
<i>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</i>	<i>deleted</i>	[...]	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>procedure referred to in Article 15.</i>		<b>Member States shall ensure that the decision made in accordance with Article 2(2) is made available to the public online or by other means.</b>	
<i>Article 11 Information on monitoring of implementation</i>			
<b>Amendment 97 Article 11 - paragraph 1 - point a</b>			
1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, each Member State, assisted by the European Environment Agency, shall:  (a) set up and publish by ... [ <b>three</b> 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	1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, each Member State, assisted by the European Environment Agency, shall:  (a) set up and publish by ... [ <b>four</b> 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	1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, [...] Member States <b>where reclaimed water is used for the agricultural irrigation as specified in section 1 of Annex I of this Regulation</b> , assisted by the European Environment Agency, shall:  (a) set up and publish by ... [[...] <b>eight</b> 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	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
with Article 10;	with Article 10;	with Article 10;	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 11 - paragraph 1 - point b</b>			
(b) set up, publish and update annually thereafter, a data set containing information on cases of non-compliance with the conditions set out in the permit, collected in accordance with Article 8(1) and information about the measures taken in accordance with Article 8(2) and (3).		(b) set up, publish and update annually thereafter, a data set containing information on cases of non-compliance with the conditions set out in the permit <b>or authorisation</b> , collected in accordance with Article 8(1) and information about the measures taken in accordance with Article 8(2) and (3).	
<b>Article 11 - paragraph 2</b>			
2. Member States shall ensure that the Commission, the European Environment Agency and the European Centre for Disease Prevention and Control have access to the data sets referred to in paragraph 1.			
<b>Article 11 - paragraph 3</b>			
3. On the basis of the data referred to in paragraph 1, the European Environment Agency shall draw up, publish and update, on a regular basis or following a request from the Commission, a Union-wide overview which shall include, as appropriate, indicators for outputs, results and impacts of this		3. On the basis of the data referred to in paragraph 1, the European Environment Agency, <b>in consultation with Member States</b> , shall draw up, publish and update, on a regular basis or following a request from the Commission, a Union-wide overview which shall include, as appropriate, indicators	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
Regulation, maps, and Member State reports.		for outputs, results and impacts of this Regulation, maps, and Member State reports.	
<b>Article 11 - paragraph 4</b>			
4. The Commission may, by means of implementing acts, lay down detailed rules regarding the format and presentation of the information to be provided in accordance with paragraph 1 as well as detailed rules regarding the format and presentation of the Union-wide overview referred to in paragraph 3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15.			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>Article 12</i> <i>Access to justice</i>			
<b>Article 12</b>			
<p>1. Member States shall ensure that natural or legal persons or their associations, organisations or groups, in accordance with national legislation or practice, have access to a review procedure before a court of law or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions, actions or omissions related to the implementation of Articles 4 to 8, when one of the following conditions is fulfilled:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where the administrative procedural law of the relevant Member State requires this as a precondition.</p> <p>2. Member States shall determine at what stage decisions, acts or omissions may be challenged.</p>		[...]	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>3. What constitutes a sufficient interest and impairment of a right shall be determined by Member States, consistently with the objective of giving the public concerned wide access to justice. To that end, the interest of any non-governmental organisation promoting environmental protection and meeting the requirements under national law shall be deemed sufficient for the purposes of paragraph 1(a).</p> <p>Such organisations shall also be deemed to have rights capable of being impaired for the purposes of paragraph 1(b).</p> <p>4. Paragraphs 1, 2 and 3 shall not exclude the possibility of a preliminary review procedure before an administrative authority and shall not affect the requirement of exhaustion of administrative review procedures prior to recourse to judicial review procedures, where such a requirement exists</p>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>under national law.</p> <p>5. Any review procedure referred to in paragraphs 1 and 4 shall be fair, equitable, timely and not prohibitively expensive.</p> <p>6. Member States shall ensure that information is made available to the public on access to administrative and judicial review procedures.</p>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>Article 13</i>			
<b>Article 13</b>			
<b>Title</b>			
		<i>Evaluation and review</i>	
<b>Amendment 98</b>			
<b>Article 13 - paragraph 1 - introductory part</b>			
1. The Commission shall, by ... [ <b>6</b> 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:	1. The Commission shall, by ... [ <b>five</b> 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:	1. The Commission shall, by ... [...] <b>8</b> 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:	
<b>Article 13 - paragraph 1 - point a</b>			
(a) the experience gathered from the implementation of this Regulation;			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 13 - paragraph 1 - point b</b>			
(b) the data sets set up by Member States in accordance with Article 11(1) and the Union-wide overview drawn up by the European Environment Agency in accordance with Article 11(3);			
<b>Article 13 - paragraph 1 - point c</b>			
(c) relevant scientific, analytical and epidemiological data;			
<b>Article 13 - paragraph 1 - point d</b>			
(d) technical and scientific knowledge;			
<b>Article 13 - paragraph 1 - point e</b>			
(e) World Health Organisation recommendations, where available.		(e) World Health Organisation recommendations, where available <b>or other international guidance or ISO standards.</b>	
<b>Amendment 99</b>			
<b>Article 13 - paragraph 1 - point ea (new)</b>			
	<i>(ea) experiments which have been carried out, in particular as regards the use in agriculture of sewage sludge and methanisation effluents.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Article 13 - paragraph 2 - point a</b>			
2. In the context of the evaluation referred to in paragraph 1, the Commission shall pay particular regard to the following aspects:  (a ) the minimum requirements set out in Annex I;			
<b>Article 13 - paragraph 2 - point b</b>			
(b) the key risk management tasks set out in Annex II;		(b) the key <b>elements of</b> risk management [...] set out in Annex II;	
<b>Article 13 - paragraph 2 - point c</b>			
(c) the additional requirements set by competent authorities pursuant to point (b) and (c) of Article 7(3);		(c) the additional requirements set by competent authorities pursuant to point (b) and (c) of Article [...] <b>6(3)</b> ;	
<b>Article 13 - paragraph 2 - point d</b>			
(d) the impacts of water reuse on the environment and human health.		(d) the impacts of water reuse on the environment and human <b>and animal</b> health.	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 100</b> <b>Article 13 - paragraph 2 - point da (new)</b>			
	<i>(da) the growing presence of micropollutants and new 'emerging' substances in reused water.</i>		
<b>Amendment 101</b> <b>Article 13 - paragraph 2a (new)</b>			
	<i>2a. As part of the evaluation referred to in paragraph 1, the Commission shall assess the feasibility of:</i>		
	<i>(a) extending the scope of this Regulation to reclaimed water intended for further specific uses, including reuse for industrial purposes;</i>		
	<i>(b) expanding the requirements of this Regulation to cover the indirect use of treated waste water;</i>		
	<i>(c) laying down minimum requirements applicable to the quality of treated waste water for the purpose of aquifer recharge.</i>		
<b>Amendment 102</b> <b>Article 13 - paragraph 2b (new)</b>			
	<i>2b. Where appropriate, the Commission shall accompany the</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
	<i>evaluation referred to in paragraph 1 with a legislative proposal.</i>		
<b>Article 13 - paragraph 3 (new)</b>			
		<b>3. Based on the results of the evaluation referred to in paragraph 1 or whenever new technical and scientific knowledge so requires, the Commission may examine the need to review the minimum requirements set out in section 2 of Annex I and, where appropriate, shall make legislative proposals for amendments in accordance with the Treaty.</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>Article 14</i> <i>Exercise of the delegation</i>			
<b>Article 14</b>			
1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
2. The power to adopt delegated acts referred to in Article 4(3) and Article 5(3) shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Regulation.		2. The power to adopt delegated acts referred to in [...] Article 5[...] 4) shall be conferred on the Commission for [...] a period of [...] <b>five years</b> from the date of entry into force of this Regulation. <b>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</b>	
3. The delegation of power referred to in Article 4(3) and Article 5(3) may be revoked at any time by the		3. The delegation of power referred to in [...] Article 5[...] 4) may be revoked at any time by the	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.		European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.		.	
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
6. A delegated act adopted pursuant to Article 4(3) and Article 5(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of		6. A delegated act adopted pursuant to [...] Article 5[...] 4) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.		the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>Article 15</i> <i>Committee procedure</i>			
<b>Article 15</b>			
1. The Commission shall be assisted by the Committee established by Directive 2000/60/EC. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.			
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.		2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.  <b>Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<i>Article 16</i> <i>Penalties</i>			
<b>Amendment 103</b> <b>Article 16</b>			
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 ... [ <b>three</b> 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.	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 ... [ <b>four</b> 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.	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 ... [...] <b>five</b> 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.	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p align="center"><i>Article 17</i> <i>Entry into force and application</i></p>			
<p align="center"><b>Amendment 104</b> <b>Article 17</b></p>			
<p>This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>.</p> <p>It shall apply from ... [<b>one year</b> after the date of entry into force of this Regulation].</p> <p>This Regulation shall be binding in its entirety and directly applicable in all Member States.</p>	<p>This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>.</p> <p>It shall apply from ... [<b>two years</b> after the date of entry into force of this Regulation].</p> <p>This Regulation shall be binding in its entirety and directly applicable in all Member States</p>	<p>This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>.</p> <p>It shall apply from ... [[...] <b>five years</b> after the date of entry into force of this Regulation].</p> <p>This Regulation shall be binding in its entirety and directly applicable in all Member States.</p>	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p align="center"><i>ANNEX I</i> <i>USES AND MINIMUM REQUIREMENTS</i></p>			
<p align="center"><b>Amendment 105</b> <b>Annex I - section 1</b></p>			
<p>Section 1. Uses of reclaimed water as referred to in Article 2</p> <p>(a) Agricultural irrigation</p> <p>Agricultural irrigation means irrigation of the following types of crops:</p> <ul style="list-style-type: none"> <li>- food crops consumed raw, meaning crops which are intended for human consumption to be eaten raw or unprocessed;</li> <li>- 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);</li> <li>- non-food crops, meaning crops which are not intended for human consumption (e.g. pastures, forage, fiber, ornamental, seed, energy and</li> </ul>	<p>Section 1. Uses of reclaimed water as referred to in Article 2</p> <p>(a) Agricultural irrigation</p> <p>Agricultural irrigation means irrigation of the following types of crops:</p> <ul style="list-style-type: none"> <li>- food crops consumed raw, meaning crops which are intended for human consumption to be eaten raw or unprocessed;</li> <li>- 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);</li> <li>- non-food crops, meaning crops which are not intended for human consumption (e.g. pastures, forage, fiber, ornamental, seed, energy and</li> </ul>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
turf crops).	turf crops).  <i>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.</i>		
<b>Amendment 106</b>			
<b>Annex I - section 2 - point 2.1 - introductory party</b>			
2.1. Minimum requirements applicable to reclaimed water <b><i>destined to be used</i></b> for agricultural irrigation	2.1. Minimum requirements applicable to reclaimed water <b><i>intended</i></b> for agricultural irrigation		
<b>Annex I - section 2 - point 2.1</b>			
The classes of reclaimed water quality and the allowed uses and irrigation methods for each class are set out in Table 1. The minimum requirements for water quality are set out in point (a), Table 2. The minimum frequencies and performance targets for monitoring the reclaimed water are set out in point (b), Table 3 (routine monitoring) and Table 4 (validation monitoring).		The classes of reclaimed water quality and the allowed uses and irrigation methods for each class are set out in Table 1. The minimum requirements for water quality are set out in point (a), Table 2. The minimum frequencies and performance targets for monitoring the reclaimed water are set out in point (b), Table 3 (routine monitoring) and Table 4 (validation monitoring).	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		<p>The crop categories shall be irrigated with reclaimed water of the corresponding minimum reclaimed water quality class as set out in Table 1 below, unless appropriate additional barriers as referred to in Article 4(3) are applied, resulting in achieving the quality requirements set out in Table 2. Such additional barriers may be based on the indicative list of preventive measures mentioned in point 6 of Annex II or in any other equivalent national or international standards, e.g. the standard ISO 16075-2.</p>	

**Amendment 107**  
**Annex I - section 2 - point 2.1 - table 1**

**Commission proposal**

**Section 2. Minimum requirements**

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

**Table 1 Classes of reclaimed water quality and allowed agricultural use and irrigation method**

<b>A</b>	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>B</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
<b>C</b>		<b><i>Drip irrigation*</i></b> <b><i>only</i></b>
<b>D</b>	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.

## **EP amendment**

**Table 1 Classes of reclaimed water quality and allowed agricultural use and irrigation method**

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

### Council position

**Table 1 Classes of reclaimed water quality and allowed agricultural use and irrigation method**

<b>A</b>	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>B</b>	<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</b>	All irrigation methods
<b>C</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	Drip irrigation* [...] <b>or other irrigation method that avoids direct contact with the edible part of the crop</b>
<b>D</b>	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.

(\*\*) **In cases of irrigation methods which imitate rain, special attention should be paid to the protection of the health of workers or bystanders. For this purpose appropriate preventive measures should be applied.**

**Amendment 108**  
**Annex I - section 2 - point 2.1 - point a - table 2**

**Commission proposal**

(a) Minimum requirements for water quality

**Table 2 Reclaimed water quality requirements for agricultural irrigation**

Reclaimed water quality class	Indicative <i>technology target</i>	<i>Quality requirements</i>				Other
		E. coli (cfu/100 ml)	BOD <sub>5</sub> (mg/l)	TSS (mg/l)	Turbidity (NTU)	
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)	-	
C	Secondary treatment, and disinfection	≤1 000			-	Intestinal nematodes (helminth eggs): ≤1 egg/l for irrigation of pastures or forage
D	Secondary treatment, and disinfection	≤10 000			-	

## **EP amendment**

(a) Minimum requirements for water quality

**Table 2 Reclaimed water quality requirements for agricultural irrigation**

Reclaimed water quality class	Indicative appropriate treatment	<i>Limit value</i>				Other
		E. coli (cfu/100 ml)	BOD <sub>5</sub> (mg/l)	TSS (mg/l)	Turbidity (NTU)	
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 Intestinal nematodes (helminth eggs): ≤1 egg/l for irrigation of pastures or forage <b>Salmonella</b> : <i>absent</i>
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)	-	
C	Secondary treatment, and disinfection	≤1 000			-	
D	Secondary treatment, and disinfection	≤10 000			-	



## Council position

(a) Minimum requirements for water quality

**Table 2 Reclaimed water quality requirements for agricultural irrigation**

<b>A</b>	Secondary treatment, filtration, and disinfection	≤10 [...]	≤10	≤10	≤5	<i>Legionella</i> spp.: <1,000 cfu/l where there is risk of aerosolization [...]
<b>B</b>	Secondary treatment, and disinfection	≤100	According to Council Directive 91/271/EEC <sup>1</sup> ((Annex I, Table 1)	According to Directive 91/271/EEC ((Annex I, Table 1)	-	Intestinal nematodes (helminth eggs): ≤1 egg/l for irrigation of pastures or forage
<b>C</b>	Secondary treatment, and disinfection	≤1,000			-	
<b>D</b>	Secondary treatment, and disinfection	≤10,000			-	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 109</b> <b>Annex I - section 2 - point 2.1 -point a - paragraph 1 - indent 1</b>			
<p>The reclaimed water will be considered compliant with the requirements set out in Table 2 if the measurements meet all of the following criteria:</p> <p>- 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.</p>	<p>The reclaimed water will be considered compliant with the requirements set out in Table 2 if the measurements meet all of the following criteria:</p> <p>The indicated values for E. coli, Legionella spp and Intestinal nematodes are met in 90 % or more of the samples. None of the <b>maximum</b> 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. <b><i>The requirement to ensure that there is an absence of salmonella shall apply to 100% of samples.</i></b></p>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 110</b>			
<b>Annex I - section 2 - point 2.1 -point a - paragraph 1 - indent 2</b>			
- 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.	- 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 <i>maximum</i> values of the samples can exceed the maximum deviation limit of 100 % of the indicated value.		
<b>Amendment 111</b>			
<b>Annex I - section 2 - point 2.1 -point b - paragraph 1</b>			
Reclamation <i>plant</i> 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 <i>system</i> .	Reclamation <i>facility</i> 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 <i>project</i> .		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p align="center"><b>Amendment 112</b></p> <p align="center"><b>Annex I - section 2 - point 2.1 -point b - paragraph 1a (new)</b></p>			
	<i>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.</i>		

## Commission proposal

**Table 3 Minimum frequencies for routine monitoring of reclaimed water for agricultural irrigation**

Reclaimed water quality class	<i>E. coli</i>	BOD <sub>5</sub>	TSS	Turbidity	<i>Legionella</i> spp. (when applicable)	Intestinal nematodes (when applicable)
<b>A</b>	Once a week	Once a week	Once a week	Continuous	Once a week	Twice a month or frequency determined by the reclamation plant operator according to the number of eggs in waste water entering the reclamation plant
<b>B</b>	Once a week	According to Directive 91/271/EEC ((Annex I, Section D)	According to Directive 91/271/EEC (Annex I, Section D)	-		
<b>C</b>	Twice a month			-		
<b>D</b>	Twice a month			-		

## Council position

**Table 3 Minimum frequencies for routine monitoring of reclaimed water for agricultural irrigation**

Reclaimed water quality class	<i>E. coli</i>	BOD <sub>5</sub>	TSS	Turbidity	<i>Legionella</i> spp. (when applicable)	Intestinal nematodes (when applicable)
<b>A</b>	Once a week	Once a week	Once a week	Continuous	[...] <b>Twice a month</b>	Twice a month or frequency determined by the reclamation plant operator according to the number of eggs in waste water entering the reclamation plant
<b>B</b>	Once a week	According to Directive 91/271/EEC (Annex I, Section D)	According to Directive 91/271/EEC (Annex I, Section D)	-		
<b>C</b>	Twice a month			-		
<b>D</b>	Twice a month			-		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 113</b>			
<b>Annex I - section 2 - point 2.1 - point b - paragraph 2</b>			
Validation monitoring has to be performed before the reclamation <b>plant</b> 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 <b>facility</b> is put into operation, when equipment is upgraded, when new equipment or processes are added, <b>and at any time when a new permit is granted or an existing permit is modified.</b>	Validation monitoring has to be performed before [...] <b>a new</b> reclamation plant is put into operation, when equipment is upgraded, and when new equipment or processes are added. <b>Reclamation plants that are already in operation and meeting the reclaimed water quality requirements set out in Annex I table 2 at the date of entry into force of this Regulation, shall be exempted from the validation monitoring obligations.</b>	
<b>Amendment 114</b>			
<b>Annex I - section 2 - point 2.1 - point b - paragraph 3</b>			
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	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	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	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
microorganisms selected are <i>E. coli</i> for pathogenic bacteria, F-specific coliphages, somatic coliphages or coliphages for pathogenic viruses, and <i>Clostridium perfringens</i> 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 <b><i>plant (point of compliance)</i></b> , considering the concentrations of the raw waste water effluent entering the urban waste water treatment plant.	microorganisms selected are <i>E. coli</i> for pathogenic bacteria, F-specific coliphages, somatic coliphages or coliphages for pathogenic viruses, and <i>Clostridium perfringens</i> 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 <b><i>facility</i></b> , considering the concentrations of the raw waste water effluent entering the urban waste water treatment plant. <b><i>At least 90 % of validation samples shall reach or exceed the performance target.</i></b>	microorganisms selected are <i>E. coli</i> for pathogenic bacteria, F-specific coliphages, somatic coliphages or coliphages for pathogenic viruses, and <i>Clostridium perfringens</i> 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 [...]point of compliance[...], considering the concentrations of the raw waste water effluent entering the urban waste water treatment plant. <b>At least 90% of validation samples shall reach or exceed the performance targets.</b>	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p align="center"><b>Amendment 115</b></p> <p align="center"><b>Annex I - section 2 - point 2.1 - point b - paragraph 3a (new)</b></p>			
	<p><i>If a biological indicator is not present in sufficient quantity in raw waste water to achieve the log10 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.</i></p>	<p>If a biological indicator is not present in sufficient quantity in raw waste water effluent to achieve the log10 reduction, the absence of such biological indicator in reclaimed water 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.</p>	

## Commission proposal

**Table 4 Validation monitoring of reclaimed water for agricultural irrigation**

A	<i>E. coli</i>	$\geq 5.0$
	Total coliphages/ F-specific coliphages/somatic coliphages/coliphages(**)	$\geq 6.0$
	<i>Clostridium perfringens</i> spores/spore-forming sulfate-reducing bacteria(***)	$\geq 5.0$

(\*) 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* ( $\geq 5.0$ ), Rotavirus ( $\geq 6.0$ ) and *Cryptosporidium* ( $\geq 5.0$ ).

(\*\*) 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.

(\*\*\*) *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 log<sub>10</sub> removal.

## EP amendments

### Amendment 116

#### Annex I – section 2 – point 2.1 – point b – table 4 – footnote 1

**Table 4 Validation monitoring of reclaimed water for agricultural irrigation**

A	<i>E. coli</i>	$\geq 5.0$
	Total coliphages/ F-specific coliphages/somatic coliphages/coliphages(**)	$\geq 6.0$
	<i>Clostridium perfringens</i> spores/spore-forming sulfate-reducing bacteria(***)	$\geq 5.0$

(\*) The reference pathogens Campylobacter, Rotavirus and Cryptosporidium can also be used for validation monitoring purposes instead of the proposed indicator microorganisms. The following  $\log_{10}$  reduction performance targets should then apply: Campylobacter ( $\geq 5.0$ ), Rotavirus ( $\geq 6.0$ ) and Cryptosporidium ( $\geq 5.0$ ). ***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

#### Annex I – section 2 – point 2.1 – point b – table 4 – footnote 2

(\*\*) 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**  
**Annex I – section 2 – point 2.1 – point b – table 4 – footnote 3**

(\*\*\*) 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.***

## Council position

**Table 4 Validation monitoring of reclaimed water for agricultural irrigation**

<b>A</b>	<i>E. coli</i>	$\geq 5.0$
	Total coliphages/ F-specific coliphages/somatic coliphages/coliphages(**)	$\geq 6.0$
	<i>Clostridium perfringens</i> spores/spore-forming sulfate-reducing bacteria(***)	$\geq 4.0$ (in case of <i>Clostridium perfringens</i> spores) $\geq 5.0$ (in case of spore-forming sulfate-reducing bacteria)

(\*) The reference pathogens *Campylobacter*, Rotavirus and *Cryptosporidium* can also be used for validation monitoring purposes instead of the proposed indicator microorganisms. The following  $\log_{10}$  reduction performance targets should then apply: *Campylobacter* ( $\geq 5.0$ ), Rotavirus ( $\geq 6.0$ ) and *Cryptosporidium* ( $\geq 5.0$ ).

(\*\*) 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.

(\*\*\*) *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  $\log_{10}$  removal.

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 119</b> <b>Annex I - section 2 - point 2.1 - paragraph 4</b>			
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.	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. <i>The reclamation plant operator shall ensure that the laboratories selected for the validation monitoring implement quality management practices in accordance with standard ISO/IEC 17025.</i>	Methods of analysis for monitoring shall be validated and documented [...] in accordance with EN ISO/IEC-17025 or other national or international standards which ensure an equivalent quality.	
<b>ANNEX II</b> <b>Amendment 120</b> <b>Annex II - title</b>			
Key risk management tasks	(a) Key risk management tasks	Key <b>elements of</b> risks management [...]	
<b>Annex II - introductory part (new)</b>			
		<b>Risk management should comprise identifying and managing risks in a proactive way to ensure that reclaimed water is safely used and managed and there are no risks to human and animal health and the environment. For this purpose, a</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		Water Reuse Risk Management Plan is established based on the following elements:	
Amendment 121 Annex II - point -1 (new)			
	<i>-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.</i>		
Annex II - point 1			
1. Describe the water reuse system, from the waste water entering the urban waste water treatment plant to the point of use, including the sources of waste water, the treatment steps and technologies at the reclamation plant, the supply and storage infrastructure, the intended use, the place of use, and the quantities of reclaimed water to be supplied. The aim of this task is to provide a		1. [...] Description of the <u>entire</u> water reuse system, from the waste water entering the urban waste water treatment plant to the point of use, including the sources of waste water, the treatment steps and technologies at the reclamation plant, the supply, <b>distribution</b> and storage infrastructure, the intended use, the place <b>and period</b> of use (e.g. temporary or ad-hoc use), <b>the irrigation methods, the crop</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
detailed description of the entire water reuse system.		<b>type, other water sources if mix is foreseen</b> and the [...] <b>volumes</b> of reclaimed water to be supplied. [...]	



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Annex II - point 1a (new)</b>			
		<b>1a. Identification of the parties involved in the water reuse system and identification of their responsibilities. The roles and responsibilities of all concerned parties should be clearly specified and allocated.</b>	
<b>Annex II - point 2</b>			
<b>2. Identify potential hazards</b> , in particular the presence of pollutants and pathogens, <b>and the potential for hazardous events</b> such as treatment failures, accidental leakages or contamination in the described water reuse system.		<b>2. [...] Identification of potential hazards</b> , in particular the presence of pollutants and pathogens, <b>and the potential for hazardous events</b> such as treatment failures, accidental leakages or contamination in the described water reuse system.	
<b>Amendment 122 Annex II - point 3</b>			
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	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. <b>The health risks assessment, including</b>	<b>3. [...] Identification of the environments and populations [...] at risk [...] and the exposure routes</b> 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 <b>and irrigation</b> practices.	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
negative effects of the water reclamation operation have to be considered as well.	<i><b>hazard identification, dose-response, exposure assessment and risk characterisation, shall be taken into consideration throughout the stages of the waste water reuse system.</b></i> Possible irreversible or long-term negative <i><b>environmental or health</b></i> effects, <i><b>including the potential negative impacts on ecological flows,</b></i> of the water reclamation operation, <i><b>such as distribution, storage and use,</b></i> have to be considered as well.	Possible irreversible or long-term negative effects of the water reclamation operation have to be considered as well <b>and supported by scientific evidence.</b>	
<b>Amendment 123</b> <b>Annex II - point 4</b>			
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	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	4. [...] <b>Assessment [...] of environmental risks and risks to human and animal health,</b> taking into account the nature of the identified potential hazards, <b>the duration of the intended uses,</b> the identified environments <b>and</b> populations [...] at risk of exposure to those hazards and the severity of possible effects of the hazards <b>considering the precautionary principle,</b> as well as all relevant Union and national legislation, guidance documents and minimum	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
feed and worker safety. Scientific uncertainty in risk characterisation shall be addressed in accordance with the precautionary principle.	feed and worker safety <i>and environmental objectives</i> . <i>Qualitative studies may be used for the purposes of the risk assessment</i> . Scientific uncertainty in risk characterisation shall be addressed in accordance with the precautionary principle.	requirements in relation to food and feed and worker safety. [...] <b>The risk assessment could be based on review of available scientific studies and data.</b>	
<b>Annex II - point 4 - point a</b>			
The risk assessment shall consist of the following elements:  (a) an assessment of <b>environmental risks</b> , including all of the following:  (i) confirmation of the nature of the hazards, including, where relevant, the predicted no-effect level;  (ii) assessment of the potential range of exposure;  (iii) characterisation of the risk.		The risk assessment shall consist of the following elements <b>as appropriate</b> :	
<b>Amendment 124</b> <b>Annex II - point 4 - point b - point i</b>			
(b) an assessment of <b>risks to human health</b> , including all of the	(b) an assessment of risks to human health, including all of the	(b) an assessment of <b>risks to human and animal health</b> ,	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
following:  i. confirmation of the nature of the hazards, including, where relevant, the dose-response relationship;	following:  i. confirmation of the nature of the hazards, including, where relevant, the dose-response relationship <i>in cooperation with health authorities</i> ;	including all of the following:	
<b>Annex II - point 4 - point b - point ii</b>			
ii) assessment of the potential range of dose or exposure;			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Annex II - point 4 - point b - point iii</b>			
iii) characterisation of the risk.			
<b>Amendment 125</b>			
<b>Annex II - point 4 - subparagraph 3 - introductory part</b>			
The following requirements and obligations shall, as a minimum, be <b><i>taken into account</i></b> in the risk assessment:	The following requirements and obligations shall, as a minimum, be <b><i>complied with</i></b> in the risk assessment:	The risk assessment may be carried out using qualitative or semi-quantitative risk assessment. Quantitative risk assessment will be used when there is sufficient supporting data or in projects having a potential high risk for the environment or the public health.  The following requirements and obligations shall, as a minimum, be taken into account in the risk assessment:	
(a) the requirement to reduce and prevent water pollution from nitrates in accordance with Council Directive 91/676/EEC <sup>27</sup>			
<sup>27</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).			
(b) the obligation for drinking			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>water protected areas to meet the requirements of Council Directive 98/83/EC<sup>28</sup></p> <p><sup>28</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).</p>			
<p>(c) the requirement to meet the environmental objectives set out in Directive 2000/60/EC of the European Parliament and of the Council<sup>29</sup></p> <p><sup>29</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).</p>			
<p>(d) the requirement to prevent groundwater pollution in accordance with Directive 2006/118/EC of the European Parliament and of the Council<sup>30</sup></p> <p><sup>30</sup> Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against</p>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
pollution and deterioration (OJ L 372, 27.12.2006, p. 19).			
(e) the requirement to meet the environmental quality standards for priority substances and certain other pollutants laid down in Directive 2008/105/EC of the European Parliament and of the Council <sup>31</sup>			
<sup>31</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).			
(f) the requirement to meet the environmental quality standards for pollutants of national concern (i.e. river basin specific pollutants) laid down in Directive 2000/60/EC;			
(g) the requirement to meet the bathing water quality standards laid down in Directive 2006/7/EC of the European Parliament and of the			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>Council<sup>32</sup></p> <p><sup>32</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).</p>			
<p>(h) the requirements concerning the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture under Council Directive 86/278/EEC<sup>33</sup></p> <p><sup>33</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).</p>			
<p>(i) the requirements regarding hygiene of foodstuffs as laid down in Regulation (EC) No 852/2004 of the European Parliament and of the Council<sup>34</sup> and the guidance provided in the Commission Notice on guidance document on addressing microbiological risks in fresh fruits and vegetables at</p>			



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>primary production through good hygiene;</p> <p><sup>34</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).</p>			
<p>(j) the requirements for feed hygiene laid down in Regulation (EC) No 183/2005 of the European Parliament and the Council<sup>35</sup>;</p> <p><sup>35</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).</p>			
<p>(k) the requirement to comply with the relevant microbiological criteria set out in Commission Regulation (EC) No 2073/2005<sup>36</sup>;</p> <p><sup>36</sup> Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L338 22.12.2005, p.1)</p>			
<p>(l) the requirements regarding maximum levels for certain contaminants in foodstuffs set out</p>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p>in Commission Regulation (EC) No 1881/2006<sup>37</sup>;</p> <p><sup>37</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)</p>			
<p>(m) the requirements regarding maximum residue levels of pesticides in or on food and feed set out in Regulation (EC) No 396/2005 of the European Parliament and of the Council<sup>38</sup>;</p> <p><sup>38</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)</p>			
<p>(n) the requirements regarding animal health in Regulation (EC) 1069/2009 of the European Parliament and of the Council<sup>39</sup> and Commission Regulation (EC) 142/2011 of the European Parliament and of the Council<sup>40</sup>.</p>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<p><sup>39</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)</p> <p><sup>40</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)</p>			

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 126</b> <b>Annex II - point b (new)</b>			
	<i>(b) Conditions relating to the additional requirements</i>		
<b>Amendment 127</b> <b>Annex II - point 5</b>			
<p>5. When necessary and appropriate to ensure <b>sufficient</b> 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.</p> <p><i>Depending on the outcome of the risk assessment referred to in point 4, such additional requirements may in particular concern:</i></p> <p>(a) heavy metals;</p> <p>(b) pesticides;</p> <p>(c) disinfection by-products;</p>	<p>5. When necessary and appropriate to ensure <b>adequate</b> 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.</p> <p><i>Such additional requirements may in particular concern:</i></p> <p>(a) heavy metals;</p> <p>(b) pesticides;</p> <p>(c) disinfection by-products;</p>	<p><b>5. Consideration of requirements for water quality and monitoring that are additional to and/or stricter than those specified in Annex I, when necessary and appropriate to ensure sufficient protection of the environment, [...] human and animal health, [...], in particular when there is clear scientific evidence that the risks are originating from reclaimed water and not by other sources.</b></p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
(d) pharmaceuticals;  (e) other <i>substances of emerging concern</i> ;  (f) anti-microbial resistance.	(d) pharmaceuticals;  <i>(da) the presence of microplastics;</i>  (e) other <i>pollutants that have emerged as significant from environmental and public health analyses carried out at local level</i> ;  (f) anti-microbial resistance.		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 128</b> <b>Annex II - point c (new)</b>			
	<i>(c) Preventive measures</i>		
<b>Annex II - point 6</b>			
<p><b>6. Identify preventive measures</b> that are already in place or that should be taken to limit risks so that all identified risks can be adequately managed.</p> <p>Such preventive measures may include:</p> <p>(a) access control;</p> <p>(b) additional disinfection or pollutants removal measures;</p> <p>(c) specific irrigation technology mitigating the risk of aerosol formation (e.g. drip irrigation);</p> <p>(d) pathogen die-off support before harvest;</p>		<p><b>6. [...] Identification of preventive measures</b> that are already in place or that should be taken to limit risks so that all identified risks can be adequately managed. <b>Special attention should be paid to bodies of water used for the abstraction of water intended for human consumption and relevant safeguard zones.</b></p> <p>Such preventive measures may include:</p> <p>(a) access control;</p> <p>(b) additional disinfection or pollutants removal measures;</p> <p>(c) specific irrigation technology mitigating the risk of aerosol formation (e.g. drip irrigation);</p> <p><b>d) specific requirements for sprinkler irrigation (e.g.</b></p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
(e) establishment of minimum safety distances.		<p>maximum wind speed, distances between sprinkler and sensitive areas);</p> <p>(e) specific requirements for agricultural fields (e.g. slope inclination, field water saturation, karstic areas);</p> <p>(f) pathogen die-off support before harvest;</p> <p>(g) establishment of minimum safety distances (e.g. from surface water, including sources for livestock, or activities such as aquaculture, fish farming, shellfish aquaculture, swimming and other aquatic activities);</p> <p>(h) signage at irrigation sites, indicating that reclaimed water is being used and is not suitable for drinking.</p>	

## **Commission proposal**

Specific preventive measures that may be relevant are set out in Table 1.

**Table 1: Specific preventive measures**

<b>A</b>	<ul style="list-style-type: none"><li>- Pigs must not be exposed to fodder irrigated with reclaimed water unless there is sufficient data to indicate that the risks for a specific case can be managed.</li></ul>
<b>B</b>	<ul style="list-style-type: none"><li>- Prohibition of harvesting of wet irrigated or dropped produce.</li><li>- Exclude lactating dairy cattle from pasture until pasture is dry.</li><li>- Fodder has to be dried or ensiled before packaging.</li><li>- Pigs must not be exposed to fodder irrigated with reclaimed water unless there is sufficient data to indicate that the risks for a specific case can be managed.</li></ul>
<b>C</b>	<ul style="list-style-type: none"><li>- Prohibition of harvesting of wet irrigated or dropped produce.</li><li>- Exclude grazing animals from pasture for five days after last irrigation.</li><li>- Fodder has to be dried or ensiled before packaging.</li><li>- Pigs must not be exposed to fodder irrigated with reclaimed water unless there is sufficient data to indicate that the risks for a specific case can be managed.</li></ul>
<b>D</b>	<ul style="list-style-type: none"><li>- Prohibition of harvesting of wet irrigated or dropped produce.</li></ul>



COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
7. <b>Ensure that adequate quality control systems and procedures are in place</b> , including monitoring of the reclaimed water for relevant parameters, and that adequate maintenance programmes for equipment are established.		7. [...] <b>Adequate quality control systems and procedures [...]</b> , including monitoring of the reclaimed water for relevant parameters, and [...] adequate maintenance programmes for equipment [...].  <b>It is recommended that the reclamation plant operator set up and maintain a quality management system certified under ISO 9001 or equivalent.</b>	
<b>Annex II - point 8</b>			
8. <b>Ensure that environmental monitoring systems are in place that will detect any negative effects</b> of the water reuse, as well as ensure that feedback from the monitoring is provided and that all processes and procedures are appropriately validated and documented.  It is recommended that the reclamation plant operator set up and maintain a quality management system certified under ISO 9001 or equivalent.		8. [...] <b>Environmental monitoring systems [...]</b> to ensure that feedback from the monitoring is provided and that all processes and procedures are appropriately validated and documented.  [...]	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 129</b> <b>Annex II - point 8a (new)</b>			
	<i>8a. Ensure that the reclamation facility is equipped with an alternative means of discharging the treated waste water that is not reused.</i>		
<b>Annex II - point 9</b>			
<b>9. Ensure that an appropriate system is in place to manage incidents and emergencies,</b> including procedures to inform all relevant parties appropriately such event, and keep a regularly updated emergency response plan.		<b>9. [...] Appropriate system [...] to manage incidents and emergencies,</b> including procedures to inform <b>appropriately</b> all relevant parties [...] <b>on</b> such event, and [...] regular update <b>of</b> emergency response plan.  <b>Member States could use existing international guidance or standards such as ISO 20426:2018 Guidelines for health risk assessment and management for non-potable water reuse, ISO 16075:2015 Guidelines for treated waste water use for irrigation projects or other equivalent standards accepted at international level or WHO guidelines<sup>1</sup> as instruments for the systematic identification of hazards, the evaluation and the management of risks, based on a priority</b>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
		<p>approach applied to the whole chain (from the treatment of urban waste water for reuse, to the distribution and the utilization for agricultural irrigation, to the control of the effects) and on site specific risk assessment.</p> <p><sup>1</sup> <a href="https://www.who.int/water_sanitation_health/publications/gsuweg2/en/">https://www.who.int/water_sanitation_health/publications/gsuweg2/en/</a>;  <a href="https://www.who.int/water_sanitation_health/publications/ssp-manual/en/">https://www.who.int/water_sanitation_health/publications/ssp-manual/en/</a></p>	

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
<b>Amendment 130</b> <b>Annex II - point 9a (new)</b>			
	<i>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.</i>		
<b>Amendment 131</b> <b>Annex II - point 9b (new)</b>			
	<i>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.</i>		

COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	COUNCIL POSITION (General approach 26 June 2019)	COMMENTS
Amendment 132 Annex II - point 9c (new)			
	<i>9c. Ensure that coordination mechanisms are established amongst different actors to guarantee the safe production and use of reclaimed water.</i>		