Protection of public health: radioactive substances in water intended for human consumption

2012/0074(NLE) - 12/03/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 582 votes to 24 with 63 abstentions, a legislative resolution on the proposal for a Council directive laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption.

Parliament adopted its postion in first reading following the ordinary legislative procedure. It amended the Commission proposal as follows:

Amendment of the legal basis: Parliament wants the proposal **to follow the ordinary legislative procedure** and be based upon Article 192(1) of the Treaty on the Functioning of the European Union and not upon Articles 31 and 32 Treaty establishing the European Atomic (Euratom), as proposed by the Commission.

Accordingly, the Directive shall apply to water intended for human consumption **as defined in Article 2 of Directive 98/83/EC** on the quality of water intended for human consumption and concerns **harmonised requirements in respect of the quality of water intended for human consumption,** with the aim of safeguarding the health of the general public against the adverse effects of the contamination of such water by radioactive substances.

Parametric values: these are based on the scientific knowledge available, taking into account the precautionary principle. They must ensure that water intended for human consumption can be consumed safely on a life-long basis, taking as reference the most vulnerable citizens.

Non-compliance with a parameter that has an indicator function: in this event, the Member State concerned should: (i) determine the cause (ii) assess the level of the risk to human health including in the long-term and the possibilities for intervention and (iii) on the basis of these findings, take action to ensure the water supply complies with the quality criteria laid down in the directive as soon as possible.

This remedial action may go as far as shutting down the facility concerned if the quality of water requires such action. Priority should be given to action, which rectifies the problem at source.

Information for consumers: consumers should be informed immediately of:

- **the risks, and the measures already taken** by the authorities and the time necessary for the remedial action to take effect ;

- **the quality of water intended for human consumption via easily accessible publications**. Members want updated information regarding areas at risk from potential sources of radioactive contamination to be made available to consumers at all times by local administrations.

Natural mineral water: the Commission should, at the latest two years after entry into force of the directive, present a proposal to revise Directive 2009/54/EC, in order to align the control requirements for natural mineral waters to the requirements provided for in this Directive and in Directive 98/83/EC.

Monitoring programmes: each Member State should establish robust monitoring programmes to check on a regular basis, that water intended for human consumption meets the requirements of the Directive. In particular, Members want Member States:

- to ensure that the measures taken to implement the Directive **do not, under any circumstances, have the effect of allowing any deterioration in the present quality of water** intended for human consumption;

- to develop **new technologies** which would minimise the time needed to isolate nuclear waste from the environment following a natural disaster ;

- to take all measures necessary to ensure that **radioactive waste from filtered drinking water** is disposed of according to the provisions in force;

- to carry out **risk assessments** of radioactive waste deposits that could have an impact on ground water or other sources of drinking water that could be endangered by natural disasters.

For its part, the Commission should carry out:

- a study on the cocktail effects of other chemical substances combined with radioactive substances in water intended for human and update the relevant legislation based on the results;

- an evaluation of the implementation of the current Water Framework Directive in the Member States.

Samples and analysis: an amendment states that the system of analytical quality control system must be subject to **random checks**, at least once a year.

In line with the '**polluter pays**' principle, if monitoring shows contamination to come from an artificial source, it should be the person responsible who meets the costs, rather than the water operator or the public.

Natural radiation levels and radiation from human activity: Parliament proposes that natural radiation levels and contamination from human activities be **managed in a differentiated manner**, on the basis of distinct dosimetric criteria and bearing in mind different groups affected, especially in terms of age.

- With regard to **natural radioactivity in drinking water**, the calculation shall be performed for the population group most exposed to risk (children less than a year old) in order to ensure compliance with the **total indicative dose of 0,1 mSv,** regardless of the age of the consumer.

- With regard to the radiological impact of normal levels of human activity, the maximum reference dose should be lowered to **0.01 mSv/year**, corresponding to 10% of the acceptable natural dose.

Review of Annexes: Parliament considers that at least every five years, the Commission shall review all the Annexes on parametric values, references for radioactive substances and sampling and analysis, in the light of scientific and technical progress and make amendments through delegated acts.