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

2012/0074(NLE) - 22/10/2013 - Final act

PURPOSE: to lay down the requirements for monitoring levels of radioactive substances in water intended for human consumption.

LEGISLATIVE ACT: Council Directive 2013/51/Euratom laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption.

CONTENT: the directive lays down **requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption**. It lays down parametric values and frequencies and methods for monitoring radioactive substances.

The directive does not apply to:

- natural mineral waters recognised as such by the competent national authorities, in accordance with Directive 2009/54/EC;
- waters which are medicinal products within the meaning of Directive 2001/83/EC.

Since this Directive provides for minimum rules, **Member States should be free to adopt or maintain more stringent measures** in the field covered by this Directive, without prejudice to the free movement of goods in the internal market as defined by the case-law of the Court of Justice.

Monitoring programmes: the directive foresees that Member States shall take all measures necessary to establish an appropriate monitoring programme for water intended for human consumption, to ensure that in the event of non-compliance with the parametric values laid down pursuant to this Directive:

- it shall be **assessed** whether that poses a risk to human health which requires action; and,
- **remedial action** shall be taken, where necessary, to improve the quality of water to a level which complies with requirements for the protection of human health from a radiation protection point of view.

Monitoring and analysis: the directive obliges Member States to take all measures necessary to ensure that monitoring for radioactive substances in water intended for human consumption is undertaken, in order to check whether the values of radioactive substances comply with the parametric values laid down in the Directive.

Monitoring shall be undertaken so as to ensure that the measured values obtained are representative of the quality of the water consumed throughout the year.

Remedial action and notification of the general public: in the case of any failure to comply with a parametric value, **an inquiry** shall immediately investigate in order to identify the cause.

Where a failure to comply with a parametric value poses a risk to human health which requires action, the Member State shall take remedial action and ensure that the general public concerned is: i) **notified** of the risk and the remedial action taken; and ii) **advised** on any additional precautionary measures that may be needed.

ENTRY INTO FORCE: 27/11/2013.

TRANSPOSITION: 28/11/2015.