



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate C –Quality of Life, Water & Air
ENV.C.2 - Marine Environment & Water Industry

**MEETING OF THE EUROPEAN COMMISSION INFORMAL EXPERT GROUP ON THE
IMPLEMENTATION OF DIRECTIVE 98/83/EC
(DRINKING WATER DIRECTIVE)**

22ND SEPTEMBER 2016

ROOM C, DG ENV

SUMMARY RECORD

All Member States (MS) participated except Bulgaria, Cyprus, Denmark, Greece, Lithuania, Slovenia, Spain and Sweden. Some stakeholders also participated as observers. The list of participants is annexed.

The Expert Group (EG) was chaired by Els the Roeck (DG ENV). The European Commission (COM) was represented by DG Environment (DG ENV): (Chairperson), Tobias Biermann (TB), Christof Mainz (ChM), Clementine Leroy (CL), Maja Feder (MF).

All documents and presentations of the meeting are available in the CIRCABC folder¹.

1. INTRODUCTION AND ADOPTION OF THE AGENDA

The Chairperson welcomed the participants, introduced the representatives of the COM and explained the aim of the meeting. The new representative from Finland presented herself to the participants of the meeting.

The draft agenda was circulated in advance and uploaded onto the CIRCABC platform. The Chairperson informed the participants of the new point on the agenda, under AOB regarding the Security Project and Workshop organised by DG HOME. No proposals for modification were suggested by the participants and the agenda was adopted unanimously (see annex 1).

2. ADOPTION OF THE MINUTES OF THE EXPERT MEETING OF 22/01/2016

All participants agreed to accept the draft minutes without change.

The Chairperson inquired whether the participants wanted to give any feedback or comment on the on-going research presented in the last meeting. One participant suggested that the

¹ <https://circabc.europa.eu/w/browse/6807f813-ee54-4d0d-82ac-c8cab7ca2f68>

JRC should perform a systematic update on research developments in regard to drinking water.

3. REPORTING (RESULTS OF REPORTING EXERCISE 2011-2013, UPCOMING EXERCISE 2014-2016)

The Commission services informed the participants of the results of the last reporting for the period 2011-2013 and stated that they are expected to be officially published shortly

The Chairperson informed the participants of the foreseen format of the next reporting exercise for 2014-2016. EEA will no longer work on the data related to drinking water. Reporting will continue through the Eionet/Reportnet. If possible the same format should be maintained, and it needs to be made very clear which format this implies (i.e. date of release or update). DG ENV has the intention to set up a contract to handle the data and quality checks and maintain contacts with the MS on reporting. The above being the reason for the delay in the dispatch of the data request by the COM. Some participants expressed concerns about the missing formats and explained that changes in format cause substantial costs in terms of time and effort needed for their implementation. They emphasized that they will only report upon official legally binding data requests. In reply to a suggestion coming from one of the participants that there was no need for the data and quality check the Chairperson stressed again the fact that contractor's help was necessary as not all MS provided good quality data.

4. SHORT UPDATE BY THE COMMISSION ON THE INFRINGEMENTS

The Commission services gave the update on the ongoing infringements and EU Pilots. Currently there is one EU Pilot open and two ongoing infringement cases.

5. DEROGATIONS – TOUR DE TABLE

The Commission services recalled to the participants the discussion on derogation article that took place at the expert group's meeting of 27 May 2015 and reminded them that no derogation could be granted anymore. The Commission services explained that Article 9 should never be used to delay the implementation unduly. However, as explained also at the previous meeting, derogations outside the 'normal' timelines of 3+3+3 years after entry into force of the Directive or after Accessions could be accepted in duly justified cases, in case of newly arising circumstances (for instance if a new water supply zone has been defined or a value for a new parameter is identified in accordance with Article 5 (3) or a new value for existing parameters is established). One participant wondered why Article 9 of the Directive could not be used whereas the new Annex 2 allows this for finding new parameters.

All MS were invited to give a brief oral summary on derogations granted during the 2011-13 reporting period, as well as on current ones. Some MS reported on a few ongoing derogations, and some others reported that currently no derogations were granted.

6. SMALL WATER SUPPLIES (SWS)

The Commission services informed the participants about the background of the survey on small water supplies launched in July. Since the voluntary reporting exercise for the year 2010 there still are doubts about the drinking water monitoring and quality in small supplies. Only 15 MS responded in reply to the reporting exercise 2011-2013. Therefore the legal unit of DG ENV has requested updated information on the situation in small supplies.

The Commission thanked the 21 MS that replied to the questionnaire so far and informed the MS that the feedback would also feed into the ongoing review and presented the compiled information. The interesting results show inter alia microbiological compliance in small supplies for those who reported increased to in average 98 % compliance. The MS identified the following issues as most often occurring difficulties: problems with microbiology compliance in SWS, limited knowledge on site, no resources available onsite. Iron, nitrates and manganese were mentioned as three parameters most frequently causing problems. It was agreed that the responsibility of the small water suppliers for drinking water quality, monitoring and management should be more emphasised. WHO regional office for Europe (WHO) supported the COM initiative and stressed that problems related to SWS were persistent. WHO is working on updating the guidelines on small supplies, taking on board the problems presented. A good practice document for MS is scheduled to be published within next two months. WHO emphasised that compliance shouldn't be the only aspect taken into consideration. A few MS promised to respond to the questionnaire, others offered to share study reports or videos, and some stressed the importance of the amended Annex II for small supplies. Several other aspects were mentioned that could contribute to improve the situation, i.e. the risk-based approach and water safety plan development, the identification of the critical aspects, inspections, checklists, awareness raising, campaigns targeting septic tank owners, or taking owners of private wells that fail to meet requirements regarding quality or monitoring to court. Finally, it was agreed that existing promotional material from the MS should be further shared and the possible ways of using it should be analysed. DG ENV suggested that the task force further described below under point 11 would be useful to discuss which small supply specificities should be established. This suggestion found a positive echo, and volunteers from so far DE, BE Wallonia, WHO, and FI offered to cooperate informally and to prepare a short paper by the end of this year.

7. FEEDBACK FROM THE EMEG MEETING ON 21/09/2016

The Commission services presented the main points discussed in the EMEG group meeting on 20 September 2016, especially information on the EMEG website and relevant alternative methods.

A new proposal has been submitted for assessment (*Pseudomonas aeruginosa* (EN ISO 16266)). The parameter is not a Group A parameter in the new Annex II and is used for operational monitoring purposes 'only' (following Art. 5 (2) DWD). However, the new Annex III (2015) contains in 'PART A Microbiological parameters for which methods of analysis are specified' the EN ISO 16266 as standard for *Pseudomonas aeruginosa*. Its use might be

relevant for remedial action or if identified as other parameter relevant in monitoring programmes. As the alternative method is in use in several MS (inter alia widely for pool testing) and there is a relation to the DWD (e.g. tap water in hospitals), EMEG should validate the alternative method. It is suggested to validate alternative methods in future for parameter listed in Annex and where ISO standards are given.

For alternative method in use (here: LSA method for E.coli) validated against an 'old' standard (here ISO 9308-1:2000), EMEG proposed to the Expert Group that in case a new standard comes into place, new validation processes shall use the new standard (ISO 9308-1:2014). Methods validated against old standard before the publication date of the new standard, should be considered valid without transitional period.

A change of the mandate of the EMEG group was proposed, including explicitly the Bathing Water Directive in the scope of its work. This would allow the Commission to register EMEG as an official sub-Expert Group of the Bathing Water Expert Group.

MS were requested to provide feedback within 4 weeks after sending the draft minutes. If no objections will be raised within this timeframe, the updated EMEG mandate will be considered accepted by the DWD Expert Group.

8. STATE OF PLAY – WATER REUSE INITIATIVE

The Commission services gave an update on the Water reuse initiative. Participants welcomed the information on the initiative and its timing. Nevertheless, MS highlighted that sanitation safety plans should be in place, and that economic values should not be the only driver of the initiative. It was further suggested that a link with the REACH legislation should be made.

The Commission services clarified that reuse of water in buildings was not to be covered by the initiative. In response to comments that the promotion of water reuse should not affect health, the Commission services responded that in the EU so far no evidence was found that reuse practices would provoke health problems. Participants wondered why the reuse-initiative falls under the circular economy package (in face of fact that a water cycle is given by nature; the issue is not one of closing cycles but rather one of managing them at the locally optimal scale in order to keep sufficient amounts of water locally available). The Commission services announced an informal consultation also of the DWD expert group on a draft JRC to be issued report in October 2016, and that the ad-hoc reuse working group would meet by mid-October. Access to the document in CIRCABC: <https://circabc.europa.eu/w/browse/64a6b042-09b6-4c1d-be07-ddde872c29ad>. Written comments on this new draft would be welcome by 28/10 COB. Please send them directly to our colleagues in the JRC: Laura ALCALDE SANZ laura.alcalde-sanz@jrc.ec.europa.eu and Bernd GAWLIK Bernd.GAWLIK@ec.europa.eu (with copy to Thomas PETITGUYOT Thomas.PETITGUYOT@ec.europa.eu in DG ENV.C1). Drinking water experts were already invited to contribute to a public consultation planned from November 2016 to January 2017.

9 COMMISSION DIRECTIVE (EU)2015/1787 AMENDING ANNEXES II AND III: TOUR DE TABLE. STATE OF TRANSPOSITION IN THE MS, IMPLEMENTATION OF RISK-BASED APPROACH

As a follow-up to the Committee Meeting of 20 April 2015, where it was agreed to regularly follow up the transposition of this amending Directive, the Commission services asked the MS in a tour de table about the status of transposition and whether they refer to the risk assessment approach. All MS present reported back on the state of play of their national transposition. Practically all MS tend to refer to a risk assessment approach, with a slight majority in favour of implementing it as optional.

In the discussion it was highlighted that the reporting under the DWD must consider the implementation of the new Annexes. It was suggested that a task force should be established very soon, because changes in reporting formats need sufficient time in advance.

10. UPDATE BY THE COMMISSION ON THE EVALUATION OF THE DWD

The Commission services gave an update on the evaluation of the DWD.

11. UPDATE ON ON-GOING DWD STUDIES

The Commission services gave an update on two studies, an impact assessment study and a study on materials and products in contact with drinking water. The work under both studies advances well. The reports are to be finalised still this year.

In the discussion questions were raised whether the options of the impact assessment study include also access to water as a follow-up to the European Citizens initiative, and whether benchmark information has been considered beyond water quality and transparency. Both questions were affirmed. For the review, the importance of organoleptic parameters was highlighted. It was suggested that outbreaks should be taken into account, and that emergency cases should be reported. Participants asked not to delay the revision as this could have negative impacts on consumers.

For the materials and products in contact with drinking water study, a few volunteers offered to help with editing the text of a guidance for users and plumbers. MS were invited to double-check the accuracy of tables with links to national authorities and product approval bodies that will be made available with these minutes, and that shall be published within the study report. The Commission services clarified that the purpose of the guidance for users and plumbers is not an alibi function to replace a further follow up, but that another task of the study would be an inception impact assessment that will map possible policy options to facilitate the discussion on an appropriate way forward.

12. SHORT PREVIEW ON THE STAKEHOLDER MEETING ON PARAMETERS ON 23RD SEPTEMBER 2016

The Commission services presented an outline of the stakeholder meeting planned for the following day. The Commission services warmly thanked Member States for their stupendous feedback to a request to provide occurrence data supporting the WHO-EC cooperation

project. It was clarified that a two week period is foreseen after the meeting for written comments.

13. ROLE OF THE EXPERT GROUP IN THE PLANNED REVISION, NEXT MEETINGS

The Commission services recalled, although the remit of the expert group is rather the implementation of the Directive and not its revision, that technical input and knowledge from MS is highly appreciated to support the review process. Two specific areas were identified where technical assistance would be welcome, i.e. from MS having developed national legislation, 1) to better define small supplies and a proportionate approach for them, and 2) on up-to-date consumer information and reporting requirements. Several participants immediately raised their hands to join an informal task force for topic 1. Participants are invited to confirm their interest in these task forces. It is intended that cooperation will be organised predominantly by email.

14. AOB

The Commission services informed the participants of a security workshop on 12-13 December 2016 in Brussels. Further information and an agenda will be made available in due course.

A question was raised about a draft document on water filters that was on the agenda of the expert group meeting in December 2014 and on which comments were provided. The Commission services replied that the draft has not been pursued further as it seems that some contradictions could not be clarified. The origin and the lead for this document is within DG Sante.

One MS noted positively that the meeting was good content wise, and thanked the Commission for the work invested in communicating the progress on the on-going processes, initiatives and studies.

Annex 1 Agenda of the meeting

**MEETING OF THE EC INFORMAL EXPERT GROUP UNDER
DIRECTIVE 98/83/EC (DRINKING WATER DIRECTIVE –DWD))**

22 SEPTEMBER 2016, 9:30 –16:30H

**at DG Environment, Beaulieu BU-5
Meeting Room C**

Av. de Beaulieu/Beaulieuilaan 5, 1160 Brussels

AGENDA

09:00-09:30	Item	Registration
09:30-09:45	1	Welcome and introduction
09:45-09:50	2	Adoption of the minutes of the Expert Group meeting of 22 January 2016
09:50-10:10	3	Reporting (results of reporting exercise 2011-2013, upcoming exercise 2014-2016)
10:10-10:15	4	Short update by the Commission on infringements
10:15-11:00	5	Derogations – Tour de table: all MS representatives are invited to give a brief oral summary on derogations granted a) reported for 2011-13 b) current: number of supplies, which parameters, population concerned
11:00-11:15		Morning break
11:15-12:00	6	Small Water Supplies a) Introduction - Questionnaire of July 2016 (enclosed as Working Document) b) Preliminary compilation of written replies c) Discussion and opportunity for MS to present replies and views
12:00-12:10	7	EMEG - European Microbiology Expert Group: Feedback from the EMEG Meeting on 21/9/2016
12:10-12:30	8	State of play water reuse initiative
12:30-14:00		Lunch break
14:00-14:45	9	Commission Directive (EU) 2015/1787 amending Annexes II and III: Tour de table: State of transposition in the MS, implementation risk-based approach
14:45-15:00	10	Update by the Commission on the evaluation of the Drinking Water Directive
15:00-15:30	11	Update on ongoing DWD studies a) impact assessment b) materials/products in contact with drinking water

15:30-15:45		Afternoon break
15:45-16:00	12	Short preview on the stakeholder meeting on parameters on the day after on 23 September 2016
16:00-16:15	13	Role of the Expert Group in the planned revision, planned next meetings
16:15-16:30		AOB
16:30		Closure of the meeting

Annex 2

LIST of PARTICIPANT ORGANISATIONS

Organisation / Ministry

Member States

Austria	Federal Ministry of Health Austrian Agency for Health and Food Safety
Belgium	Flemish Environment Agency/Vlaamse Milieumaatschappij Public Service of Wallonia
Croatia	Ministry of Health Croatian Waters
Czech Republic	The National Institute of Public Health
Estonia	Ministry of the Environment Estonian Health Board
Finland	Ministry of Social Affairs and Health
France	Ministry of Social Affairs, Health and Women Rights
Germany	Federal Ministry of Health UBA - German Environment Agency HLPUG Hessisches Landesprüfungs-und Untersuchungsamt im Gesundheitswesen
Hungary	Ministry of Interior National Institute of Environmental Health
Ireland	Environmental Protection Agency

Italy	National Institute of Health (ISS)
Latvia	Ministry of Agriculture
Luxemburg	Ministère du Développement durable et des Infrastructures , Administration de la gestion de l'eau
Malta	Ministry for Health
The Netherlands	Ministry of Infrastructure & Environment Ministry of Health, welfare and sport
Poland	Chief Sanitary Inspectorate
Portugal	ERSAR - Water and Waste Services Regulation Authority
Romania	Ministry of Health Ministry of environment, Waters and Forests
Slovak Republic	Ministry of Health
United Kingdom	Department for Environment, Food and Rural Affairs (DEFRA) Department for Environment, Food and Rural Affairs (DEFRA)

Non-Member States

Norway	Norwegian Food Safety Authority
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Stakeholders

STH	Aqua Publica Europea
STH	CEEP - Centre of employers and enterprises providing public services

- STH** ECPA-European Crop Protection Association
- STH** EPSU – European Federation of Public Service Unions
- STH** EUREAU - European Federation of National Associations of Water Services
- STH** European Copper Institute
- STH** Food & Water Europe
- STH** World Health Organisation

EU Commission / European Environment Agency - European Topic Centre / Consultants

- ENV.C.2** European Commission, DG Environment, Unit C.2 "Marine Environment and Water Industry"

Excused: Bulgaria

Not represented: Cyprus, Greece, Lithuania, Slovenia, Spain, Sweden