AmCham EU's response to the consultation on policy options to set minimum quality requirements for reused water in the EU

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AmCham EU speaks for American companies committed to Europe on trade, investment and competitiveness issues. It aims to ensure a growth-orientated business and investment climate in Europe. AmCham EU facilitates the resolution of transatlantic issues that impact business and plays a role in creating better understanding of EU and US positions on business matters. Aggregate US investment in Europe totalled more than €2 trillion in 2015, directly supports more than 4.3 million jobs in Europe, and generates billions of euros annually in income, trade and research and development.

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CONSULTATION RESPONSE

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PART II: YOUR PERCEPTIONS OF THE BENEFITS OF AND BARRIERS TO WATER REUSE

2.1 Please indicate your views on the level of the following potential benefits of water reuse in agriculture irrigation?:

	High	Medium	Low	I don't consider this as a potential benefit	I don't know
*Improved resilience/adaptation to climate change		X			
*Reduced water scarcity	X				
*Reduced pressure on over-abstracted water resources	X				
*Increased revenues and/or reduced costs for the agricultural sector (due to higher water availability, reliability and productivity)		X			
*Increased revenues for other sectors (due to higher water availability)					X
*Reduced pollution discharge from urban waste water treatment plants into rivers		X			
*Increased resource efficiency (nutrients recycling)	X				
*Contribution to soil fertilisation		X			
*Energy and carbon savings (in waste water treatment and irrigation)					X
*Cost savings for public authorities			X		
*Innovation potential in the water industry		X			
*Job creation					X

If you identify other important benefits, please specify them:
(500 character(s) maximum)

The assessments in this question also depend on other factors such as water pricing and the type of quality requirements in place.

2.2 Please indicate your views on the level of the following potential benefits of water reuse in aquifer recharge?:

	High	Medium	Low	I don't consider this as a potential benefit	I don't know
*Improved resilience/adaptation to climate change	X				
*Reduced water scarcity	X				
*Reduced pressure on over-abstracted water resources	X				
*Protection of (coastal) aquifers against salt intrusion					X
*Increased revenues and/or reduced costs for economic sectors using water (due to higher water availability)		X			
*Reduced pollution discharge from urban waste water treatment plants into rivers		X			
*Energy and carbon savings					X
*Cost savings for public authorities			X		
*Innovation potential in the water industry		X			
*Job creation					X

If you identify other important benefits, please specify them:
(500 character(s) maximum)

Common EU standards will provide a harmonised EU market for water reuse and eliminate trade barriers for product exposed to reclaimed purified water. Compliance with recognised EU standards would increase the credibility of water reuse projects and the certainty for investors regarding business risk management. Water reuse also opens the water industry to additional opportunities in recycling resources such as nutrients as fertilisers and energy (heat and carbon-based) from the purified water.

2.3 Please indicate the importance of the following main barriers to a wider uptake of water reuse solutions in agriculture irrigation:

	High	Medium	Low	I don't consider this as a barrier	I don't know
*High cost of treatment for production of reused water	X				
*Distance between waste water treatment plants and irrigation fields – need for conveyance infrastructure	X				
*Low price of freshwater compared to price of reused water	X				

*Insufficient control on (freshwater) water abstractions					
*Administrative burden for water operators and users and for public authorities (e.g. specific permits for water reuse)					
*Insufficient consideration for water reuse in integrated water management (e.g. in scarce areas no incentives to develop water reuse projects)	X				
*Fear of potential trade barriers (e.g. import bans) for food products irrigated with reused water		X			
*Insufficient awareness on benefits of water reuse	X				
*Negative public perception on the quality of reused water	X				
*Insufficient clarity in the regulatory framework to manage risks associated with water reuse		X			
*Stringent national water reuse standards					
*Absence of national water reuse standards	X				
*Low availability of technical solutions to produce safe reused water				X	
*Low awareness of technical solutions to produce safe reused water			X		
*Scientific uncertainties as regards potential risks			X		

If you identify other important barriers, please specify them:
(500 character(s) maximum)

Water pricing is key to success in promoting the use of treated water and should reflect the real cost of water abstraction and distribution. Rebates and rate reductions can also be used effectively together with volumetric tarriffs and increasing block tarriffs to encourage large use of water reuse vs. fresh one. Although the water reuse directive aims to align on standards and secure fresh water supply in draught-affected regions, the current pricing regulation is not a driver for water reuse.

2.4 Please indicate the importance of the following main barriers to a wider uptake of water reuse solutions in aquifer recharge:

	High	Medium	Low	I don't consider this as a barrier	I don't know

*High cost of treatment for production of reused water	X				
*Low price of freshwater compared to price of reused water	X				
*Administrative burden for water operators and users and for public authorities (e.g. specific permits for water reuse)					
*Insufficient consideration for water reuse integrated water management (e.g. in scarce areas no incentives to develop water reuse projects)	X				
*Insufficient awareness on benefits of water reuse	X				
*Negative public perception on the quality of reused water	X				
*Insufficient clarity in the regulatory framework to manage risks associated with water reuse		X			
*Stringent national water reuse standards					
*Absence of national water reuse standards	X				
*Low availability of technical solutions to produce safe reused water				X	
*Low awareness of technical solutions to produce safe reused water			X		
*Scientific uncertainties as regards potential risks			X		

If you identify other important barriers, please specify them:
(500 character(s) maximum)

Regarding the administrative burden it is important to create the right incentives for the implementation of the new treatment, moderate the governance procedures, and automate as much as possible the verification of compliances.

2.5. Do you consider that reusing treated waste water for agriculture irrigation nowadays in the EU is…?:

	Less safe than	Safer than	As safe as	I don't know
*using water abstracted from rivers			X	

and...

	Less safe than	Safer than	As safe as	I don't know
*using water abstracted from groundwater			X	

2.6 Do you think that reusing treated waste water for aquifer recharge nowadays in the EU is…?

	Less safe than	Safer than	As safe as	I don't know
*using water abstracted from rivers			X	

and...

	Less safe than	Safer than	As safe as	I don't know
*using water abstracted from (non-recharged) groundwater			X	

PART III: YOUR OPINION ON POSSIBLE EU MINIMUM QUALITY REQUIREMENTS FOR WATER REUSE

Important notice on the envisaged new EU legislation:

In order to foster the development of safe reuse of treated wastewater, the European Commission is looking into the possibility of establishing a common approach on water reuse across the EU providing clarity, coherence and predictability to market operators who wish to invest in water reuse in the EU under comparable regulatory conditions. In particular, the Commission envisages regulation on minimum quality requirements for reused water in irrigation and aquifer recharge. This could encompass elements such as risk management plans, treatment standards, treatment process controls, application controls and water quality benchmarks. In any event the decision on whether or not to develop water reuse and the extent to which water reuse is to be encouraged, will remain untouched a Member State's prerogative.

*** 3.1 What kind of instrument should be used to set EU minimum quality requirements for water reuse in agriculture irrigation?:**

☒ EU Regulation (binding)
☐ Commission Recommendation (not binding)
☐ CEN Standards (not binding)
☐ Other – please specify in the box below
☐ I don't know

If you identify other types of instruments, please specify them:
(500 character(s) maximum)

*** 3.2 What kind of instrument should be used to set EU minimum quality requirements for water reuse in aquifer recharge?:**

☒ EU Regulation (binding)
☐ Commission Recommendation (not binding)
☐ CEN Standards (not binding)
☐ Other – please specify in the box below
☐ I don't know

If you identify other types of instruments, please specify them:
(500 character(s) maximum)

*** 3.3 Beyond fostering the development of reuse, which specific objectives should be addressed by EU minimum quality requirements for water reuse in agriculture irrigation?(several answers possible):**

☒ Protection of human health of consumers (safety of agricultural products placed on the EU common market)
☐ Protection of human health of public directly exposed to reused water (e.g. workers…)
☒ Protection of water resources and dependant ecosystems
☒ Protection of the wider environment (e.g. soil)
☒ Protection of agricultural productivity (crop yield)
☐ Other – please specify in the box below
☐ I don't know

If you identify other types of instruments, please specify them:
(500 character(s) maximum)

*** 3.4 Beyond fostering the development of reuse, which specific objectives should be addressed by EU minimum quality requirements for water reuse in aquifer recharge? (several answers possible):**

☒ Protection of human health of consumers (in case the recharged aquifer is abstracted for drinking water purposes)
☒ Protection of water resources and dependant ecosystems
☐ Other – please specify in the box below
☐ I don't know

If you identify other types of instruments, please specify them:
(500 character(s) maximum)

Contaminants of Emerging Concern and priority substances naturally degrade by biological and chemical oxidation in the soil after irrigation, so the risk of impact on the environment is very limited. However, they pause a threat if directly injected into the aquifer, where natural degradation by oxidation does not occur. Thus such contaminants should be part of the Aquifer Reuse Standards but not the agriculture standards as there is no scientific proof of bioaccumulation in fruits and crops.

*** 3.5 Which specific aspects shou ld be covered by EU minimum quality requirements for water reuse in agriculture irrigation? (several answers possible):**

☒ Microbiological contaminants
☒ Nutrients
☐ Other chemicals already addressed by EU legislation on water quality in the environment or on discharges to water (Directive 91/271/EEC concerning urban waste water treatment, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration, Directive 2008/105/EC on environmental quality standards in the field of water)
☐ Other chemicals not addressed by existing EU legislation
☒ Monitoring
☒ Waste water treatment techniques
☐ Handling of treated water at farm level (e.g. irrigation practices)
☐ Risk-based management (e.g. water safety plan)
☐ Other – please specify in the box below
☐ I don't know

If you identify other types of instruments, please specify them:
(500 character(s) maximum)

*** 3.6 Which specific aspects should be covered by EU minimum quality requirements for water reuse in aquifer recharge? (several answers possible):**

☒ Microbiological contaminants
☒ Nutrients
☐ Other chemicals already addressed by EU legislation on water quality in the environment or on discharges to water (Directive 91/271/EEC concerning urban waste water treatment, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration, Directive 2008/105/EC on environmental quality standards in the field of water)
☐ Other chemicals not addressed by existing EU legislation
☒ Monitoring
☒ Waste water treatment techniques
☐ Handling of treated water at farm level (e.g. irrigation practices)
☐ Risk-based management (e.g. water safety plan)
☐ Other – please specify in the box below
☐ I don't know

If you identify other types of instruments, please specify them:
(500 character(s) maximum)

3.7 Which other uses of treated waste water do you think EU minimum quality requirements for water reuse should cover?

	Should be covered by EU minimum quality requirements for water reuse	Could be covered by EU minimum quality requirements for water reuse	Should not be covered by EU minimum quality requirements for water reuse	I don't know
*Irrigation of sport fields (incl. golf courses)	X			
*Irrigation of urban green spaces	X			
*Other urban uses (street cleaning, firefighting…)	X			
*Industrial uses				X

If you identify any particular industrial sector or any use of treated waste water that should be covered by EU minimum quality requirements for water reuse, please specify them:
(500 character(s) maximum)

Any water reuse requirements should be commensurate with its end use. In the case of industrial uses, sector-specific EU minimum requirements could help harmonise fragmented national requirements, but this should be subject to analysis on a case-by-case basis and should not apply where relevant BATs already exist in BREFs to avoid overlap with existing EU measures.
Other relevant uses: urban (street cleaning), private (toilet flushing, garden irrigation) and recreational uses.

PART IV: ADDITIONAL COMMENTS

4.1 If you have any additional comments, please provide them in the box below:
(1000 character(s) maximum)

Unlocking the innovation potential in the field of water management can significantly contribute to job creation, growth and competitiveness in Europe. To do so, key tools are: innovative financing of treatment technologies for reuse implementation (incl. financial incentive for municipalities to reduce environmental discharges and implement reuse), new infrastructure for water transport, effective regulation, interagency cooperation, public awareness on the potential benefit of water reuse (environmental externalities and clear affirmation from government on the safety of recalimed water) and edicction efforts.
Water reuse can secure a sustained water source for irrigation and prevent seasonal loses of crops. The assuming investment of 0.12€/M^3 and operating cost of 0.16€/M^3, the reuse volumes projected by Aquastat and the implementation of reuse standards for agriculture application would results in annual revenue potential of 72 million€ for service suppliers between 2016 and 2025.