Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (recast) (Text with EEA relevance)

Article 13

Monitoring

1 Member States shall take all measures necessary to ensure that regular monitoring of the quality of water intended for human consumption is carried out in accordance with this Article and Parts A and B of Annex II, in order to check that the water available to consumers meets the requirements of this Directive and in particular the parametric values set in accordance with Article 5. Samples of water intended for human consumption shall be taken so that they are representative of its quality throughout the year.

2 To meet the obligations imposed in paragraph 1, appropriate monitoring programmes shall be established in accordance with Part A of Annex II for all water intended for human consumption. Those monitoring programmes shall be supply-specific, taking into account the outcomes of the risk assessment of the catchment areas for abstraction points and of the supply systems, and shall consist of the following elements:

a monitoring of the parameters listed in Parts A, B and C of Annex I, and of the parameters set in accordance with Article 5(3), in accordance with Annex II, and, where a risk assessment of the supply system is carried out, in accordance with Article 9 and Part C of Annex II, unless a Member State decides that one of those parameters can be removed, in accordance with point (b) of the second subparagraph of Article 8(5) or point (a) of Article 9(4), from the list of parameters to be monitored;

b monitoring of the parameters listed in Part D of Annex I, for the purposes of the risk assessment of domestic distribution systems, as provided for in point (b) of Article 10(1);

c monitoring of the substances and compounds included in the watch list, in accordance with the fifth subparagraph of paragraph 8 of this Article;

d monitoring, for the purposes of the identification of hazards and hazardous events, as provided for in point (c) of the first subparagraph of Article 8(2);

e operational monitoring conducted in accordance with point 3 of Part A of Annex II.

3 The sampling points shall be determined by the competent authorities and shall meet the relevant requirements set out in Part D of Annex II.

4 Member States shall comply with the specifications for the analysis of parameters set out in Annex III, in accordance with the following principles:

a methods of analysis other than those specified in Part A of Annex III may be used, provided that it can be demonstrated that the results obtained are at least as reliable as those produced by the methods specified in Part A of Annex III, by providing the Commission with all relevant information concerning such methods and their equivalence;

b for the parameters listed in Part B of Annex III, any method of analysis may be used provided that it meets the requirements set out therein.

5 Member States shall ensure that additional monitoring is carried out on a case-by-case basis of substances and micro-organisms for which no parametric value has been set in

accordance with Article 5, if there is reason to suspect that they may be present in numbers or concentrations which constitute a potential danger to human health.

6 By 12 January 2024, the Commission shall adopt delegated acts in accordance with Article 21 in order to supplement this Directive by adopting a methodology to measure microplastics with a view to including them on the watch list referred to in paragraph 8 of this Article once the conditions set out under that paragraph are fulfilled.

7 By 12 January 2024, the Commission shall establish technical guidelines regarding methods of analysis for monitoring of per- and polyfluoroalkyl substances under the parameters 'PFAS Total' and 'Sum of PFAS', including detection limits, parametric values and frequency of sampling.

8 The Commission shall adopt implementing acts to establish and update a watch list addressing substances or compounds of concern to the public or the scientific community on health grounds ('the watch list'), such as pharmaceuticals, endocrine-disrupting compounds and microplastics.

Substances and compounds shall be added to the watch list where they are likely to be present in water intended for human consumption and could pose a potential risk to human health. To that end, the Commission shall make use, in particular, of scientific research of the WHO. The addition of any new substance or compound shall be duly justified under Articles 1 and 4.

Beta-estradiol and Nonylphenol shall be included in the first watch list in view of their endocrine-disrupting properties and the risk they pose to human health. The first watch list shall be established by 12 January 2022.

The watch list shall indicate a guidance value for each substance or compound and where necessary a possible method of analysis that does not entail excessive costs.

Member States shall put in place monitoring requirements with regard to the potential presence of the substances or compounds which are included in the watch list, at relevant points of the supply chain for water intended for human consumption.

For this purpose, Member States may take into account the information collected under Article 8(1), (2) and (3) of this Directive and may use the monitoring data collected in accordance with Directives 2000/60/EC and 2008/105/EC or other relevant Union legislation, in order to avoid overlapping of monitoring requirements.

The monitoring results shall be included in the data sets, set up in accordance with point (b) of Article 18(1), together with the results of the monitoring performed under point (c) of the first subparagraph of Article 8(2).

Where a substance or compound included in the watch list is detected, under Article 8(2) or under the fifth subparagraph of this paragraph, in concentrations exceeding the guidance values set out in the watch list, Member States shall ensure that the following measures are considered and that those measures considered relevant are taken:

a preventive measures, mitigation measures or appropriate monitoring in the catchment areas for abstraction points or in raw water as set out in points (a), (b) and (c) of the first subparagraph of Article 8(4);

b requiring water suppliers to carry out monitoring of those substances or compounds, in accordance with point (a) of the second subparagraph of Article 8(5);

c requiring water suppliers to check whether treatment is adequate to reach the guidance value and, where necessary, to optimise the treatment; and

d remedial actions in accordance with Article 14(6) where Member States consider it necessary to protect human health.

The implementing acts provided for in this paragraph shall be adopted in accordance with the examination procedure referred to in Article 22.