

Drinking Water Directive Austrian Experience

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General Remarks

- Austria is a Federal Republic, this has some implications.
- In Austria, the quality of drinking water is dealt with in food law, the basis of which is the Food Safety and Consumer Protection Act.
- The provisions relating to the quality of drinking water (main part of the Drinking Water Directive) are implemented in Austria in the Drinking Water Ordinance.
- Implementation of the Drinking Water Directive into national law is still ongoing; the implementation deadline of January 12, 2023 could not be met.
- The amendment to the Drinking Water Ordinance was under review in June / July. Political coordination is currently underway following an assessment; the European Commission has been announced that the work will be completed in the fourth quarter of 2023.

Some of the Challenges

- The new Drinking Water Directive includes many new topics - risk assessment of catchment areas, risk assessment of domestic installations, complete regime for testing and approval of substances and materials in contact with drinking water, access to drinking water, expanded information obligations. In Austria this means an expansion of the ministries affected and coordination in implementation.
- Art. 8 “Risk assessment of the catchment areas” – responsibilities and concrete implementation still under discussion.
- Articles 10 and 11 “Risk assessment of domestic installations”, “Materials in contact with drinking water” – are part of building law and are therefore the responsibility of the federal states.
- Legionella - In Austria there is a maximum temperature of 25 °C for drinking water, therefore hot water and legionella are not covered by the drinking water regulations. Here, implementation must be shared between the federal states (control, monitoring) and the Ministry of Health. Legionnaires' disease was already a notifiable disease and the Epidemic Act should be amended to include necessary management measures.

Challenges

- Art. 16 “Access to drinking water” – In Austria, drinking water was included as part of public services in the Federal Constitutional Law on sustainability, animal protection, comprehensive environmental protection, ensuring water and food supplies and research in 2019. Individual federal state water supply laws are applicable (i.a. stating rules for compulsory connection). A large number of projects facilitate the access to drinking water. No further legal implementation is planned. Austria shared the same view as the Council Legal Service on this issue; Access to drinking water is not one of the issues that the EC should have regulated (principle of subsidiarity).
- Information about the price of water and the organizational structure of the water supplier - both topics that also have nothing to do with the quality of the water. For the most part it will also have to be implemented by the federal states.

Risk assessment and management in the supply system

- Pursues the goal of focusing time and resources on really relevant risks and their management
- Mandatory for all water supplies $> 100 \text{ m}^3/\text{d}$!
- To be submitted for the first time by January 12, 2029
- To be updated at least every 6 years
- For water supplies $\leq 100 \text{ m}^3/\text{d}$ voluntary; However, if there is a desire to adjust the scope of control, a risk assessment must be submitted.

New Parameters

Only to be complied with from January 12, 2026 and exempt from the examination requirement until then!

- To be examined by all
 - Bisphenol A: 2.5 µg/l
 - Total PFAS: 0.10 µg/l - list of 20 defined substances
- Only to be investigated in certain cases
 - Chlorate, chlorite: 0.25 mg/l each; 0.7 mg/l possible in chlorine dioxide systems
 - Haloacetic acids (HAA5): 60 µg/l
 - Microcystin-LR: 1.0 µg/l in case of algae blooms

updated Parameters

- Lead: 5 µg/l (applies from January 12, 2036)
- Chromium: 25 µg/l (applies from January 12, 2036)

if geogenically conditioned, the competent authority may accept the following parameter values:

- Antimony: 10 µg/l, otherwise the parameter value remains at 5 µg/l
- Boron: 2.4 mg/l, otherwise the parameter value remains at 1.0 mg/l
- Selenium: 30 µg/l, otherwise the parameter value remains at 20 µg/l
- Uranium: 30 µg/l, otherwise the parameter value remains at 15 µg/l

Best Practice Examples

- Ensure appropriate monitoring (external, official monitoring and self-monitoring by the water suppliers). This is done by authorized persons. The results of this outsourced self-inspection must be brought to the attention of the state governors (food supervision). In the event of defects, the operator must take immediate action and report this to the food inspectorate. The data from the self-monitoring serves as the basis for the Austrian drinking water report.
- The official monitoring is largely carried out in the form of priority actions, which are defined in the national monitoring plan. The parameters include organic contaminants (pesticides, PFAS, endocrine disruptors), inorganic contaminants (lead, uranium, fluoride, etc.), turbidity before processing, disinfection by-products or hygiene / microbiological focuses in schools and kindergartens after the holidays, alpine huts with their own water supply. All results (not just drinking water) are published on the Austrian Agency for Health and Food Safety GmbH (AGES) homepage

Conclusion

- Risk-based approach and care specificity come to the fore
- New parameters not equally relevant for all suppliers
- Operational monitoring as a “new” concept
- Examination frequencies remain almost the same
- Exceptions are still possible to a limited extent
- Information obligations are increasing and go beyond the quality of water