

## **MRA response to the consultation on the implementation of the water framework directive**

The water framework directive (Directive 2000/60/EC of the European Parliament and of the Council of the 23 October 2000 establishing a framework for Community action in the field of water policy) is a key piece of legislation that sets a standard in the field of water policy. The Government of Malta is committed to transposing the requirements of this directive into national legislation.

Transposition of this directive is allowed through the Environment Protection Act and the Malta Resources Authority Act. The latter Act delegates the power to issue regulations to the Minister, following consultation with the Authority.

In line with the spirit of the directive, on the 6 September 2001, the Malta Resources Authority, following consultation with the Malta Environment and Planning Authority, issued a "First consultation paper on the implementation of the Water Framework Directive" ("the consultation document"). That consultation document described how the Government proposed to transpose and implement the Directive and invited comments on draft Regulations.

Section 1 advised those who wished to respond that their written representations should reach the Authority not later than 10 October 2002. Section 6 of the consultation document set out a summary of those issues on which comments were specifically invited.

This document is the Authority's response to the views set out in the written representation. Only one representation was received.

The issues raised were:

1. Coastal waters are geophysically and socio-economically important and are in constant threat from both internal and external sudden, massive marine oil pollution and therefore the MRA should ensure that the Marine Pollution Contingency Plan is constantly readily implementable. In particular, a marine boom should be *in situ* at all reverse osmosis plants for immediate deployment.

***The Malta Resources Authority agrees on the importance of coastal waters but believes that the text of the framework regulations at this stage need not be further modified. The issue of the Marine Pollution Contingency Plan and the marine booms will be dealt with at implementation phase.***

2. Waste water should be reused.

***The Malta Resources Authority agrees that wastewater reuse should be encouraged. The draft legislation notes water reuse as one of the supplementary measures to be undertaken. The measure is also specifically mandated in Regulation 11 of the Urban Waste Water Regulations (2001) (LN340 of 2001).***

3. The issue of MEPA/MRA overlap should be considered in more detail at this stage using scientific and past-experience pointers, particularly for areas of monitoring and law enforcement.

*The Memorandum of Understanding between the authorities is based on a similar overlap that exists in Washington, and considers the duties of the Authorities as indicated by the legislation. It is not the final position and recognises that “as experience is gained, ... changes to the Memorandum may be needed to respond to emergent issues”.*

4. Monitoring will be a drain on human resources of the authorities and should be contracted out.

*The recommendation is in line with the Authority’s policy to consider subcontracts whenever appropriate. It will be taken into consideration at every appropriate phase of implementation.*

No changes to the draft legislation are therefore proposed.