Environmental Liability Directive (ELD) 2004/35/CE  Article 5:

*Preventive action*

1. *Where environmental damage has not yet occurred but there is an imminent threat of such damage occurring, the operator shall, without delay, take the necessary preventive*
2. *Member States shall provide that, where appropriate, and in any case whenever an imminent threat of environmental damage is not dispelled despite the preventive measures taken by the operator, operators are to inform the competent authority of all relevant aspects of the situation, as soon as*
3. *The competent authority may, at any time:*

* *require the operator to provide information on any imminent threat of environmental damage or in suspected cases of such an imminent threat;*
* *require the operator to take the necessary preventive measures;*
* *give instructions to the operator to be followed on the necessary preventive measures to be taken; or*
* *itself take the necessary preventive*

1. *The competent authority shall require that the preventive measures are taken by the operator. If the operator fails to comply with the obligations laid down in paragraph 1 or 3(b) or (c), cannot be identified or is not required to bear the costs under this Directive, the competent authority may take these measures itself.*

**Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy:**

*Whereas:*

*(1)Water is not a commercial product like any other but, rather, a heritage which must be protected, defended and treated as such.*

*(11) As set out in Article 174 of the Treaty, the Community policy on the environment is to contribute to pursuit of the objectives of preserving, protecting and improving the quality of the environment, in prudent and rational utilisation of natural resources, and to be based on the precautionary principle and on the principles that preventive action should be taken, environmental damage should, as a priority, be rectified at source and that the polluter should pay.*

*(14) The success of this Directive relies on close cooperation and coherent action at Community, Member State and local level as well as on information, consultation and involvement of the public, including users.’*