

**EurEau Comments on the**

# **EU Strategy for Plastics in a Circular Economy and the water sector**

**Making Extended Producer Responsibility Work**

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## **Introduction**

EurEau welcomes and supports the EU Strategy on Plastics. It provides a thorough analysis of the current situation and a comprehensive life cycle approach, including the filling of knowledge gaps, when proposing future solutions. EurEau fully supports REACH restrictions regarding microplastics in personal care and cosmetic products and detergents.

Directive 2000/60/EC (Water Framework directive) states that “Water is not a commercial product like any other but, rather, a heritage which must be protected, defended and treated as such”.

The water services sector is particularly concerned about microplastics emissions in the (aquatic) environment. Microplastics are a challenge for waste water operators, whose mission is to treat waste water to ensure the protection of the environment and ecosystems, and for drinking water operators, who have to rely on drinking water resources to produce drinking water.

Microplastics can enter the water cycle directly i.e. via atmospheric deposition, fishing gear, plastic litter, ship hull paints, storm water runoffs, industrial waste water or, to a minor extent, indirectly via the waste water treatment infrastructure (urban and domestic waste water). Since microplastics are mostly not biodegradable, once present in the water cycle, they can gradually accumulate and could pose a risk to drinking water resources and aquatic ecosystems.

According to recent research for the Commission <sup>1</sup>, the following amounts of microplastics are emitted unintentionally to the (aquatic) environment. These data are estimates and partially uncertain.

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<sup>1</sup> Eunomia for DG Environment: [Investigating options for reducing releases in the aquatic environment of microplastics emitted by \(but not intentionally added in\) products – Interim Report](#), 2017.



	<b>Estimates of annual emissions (t)</b>	<b>Of which emissions to the aquatic environment (t)</b>	<b>Pathways to the environment</b>
<b>Automotive Tyres</b>	≈500,000	50,000-135,000	Urban, rural and highways
<b>Pellets</b>	≈200,000	5,000-90,000	Dispersion highly uncertain
<b>Road Markings</b>	≈140,000	12,000-35,000	Urban, rural and highways
<b>Washing of synthetic clothing</b>	≈120,000	10,000-60,000	Direct to sewers and waste water treatment plants
<b>Building Paint</b>	≈95,000	10,000-20,000	Urban, rural and highways
<b>Fishing Gear</b>	≈10,000	0-10,000	Direct to surface waters
<b>Marine Paint</b>	≈10,000	7,000-10,000	Direct to surface waters

The above table shows that in particular fibres from synthetic clothing may find their way to the influent of waste water treatment plants, representing approximately 10% of the unintentionally released microplastics. It is important to note that where combined drainage systems are installed, abrasion particles from tyres, road markings and building paint might also end up in waste water treatment plants through urban run-offs. The above table does not include the quantity of abraded microplastics from those plastics discarded into the environment, which may be significantly greater than those from these sources.

Waste water treatment plants are not designed to remove microplastics. State-of-the-art waste water treatment plants with secondary treatment may remove between 80 and 95% of them. Complementary technologies exist to lift the removal rate to above 99%. However, this will negatively affect the environmental performance of the waste water treatment plant and could limit circular economy options for sewage sludge. Most importantly, it will cause additional costs that will have to be passed on to the water consumer.

It should be noted that there is currently no standardised analytical method to quantify microplastics concentrations in waste water and sludge, hence knowledge gaps persist and existing test results are not necessarily comparable.



## The polluter-pays and control at source principles and extended producer responsibility

EurEau has consistently advocated for a control at source and polluter pays approach to tackle microplastics. In fact, EU legislation is built on these principles enshrined in Art. 191.2 of the Treaty on the Functioning of the European Union, stating that “*the Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on **the precautionary principle** and on the principles **that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.***”

Referring to the protection of water resources, this basic philosophy was implemented through article 9.1 of Directive 2000/60/EC (Water Framework Directive) on cost recovery of water services.

At present, in the case of plastics and micropollutants, these principles are not being followed. On the other hand, it is widely accepted that producers remain responsible for their products throughout their life cycle. Therefore, they should also remain responsible for microplastics directly or indirectly released from these products at all life cycle stages. The related environmental costs should be internalised in the products concerned. In that same logic, the water consumer should not be obliged to bear this burden.

In line with the philosophy of EU legislation, EurEau strongly favours measures minimising the release of microplastics to the (aquatic) environment through ecodesign and product restrictions. EurEau recognises however, that source control measures may not always be effective. Alternative release mitigation measures at other life cycle stages may be more promising in specific circumstances. In certain cases, this may also include microplastics filters in washing machines or measures at waste water treatment plants. Whatever the most effective solution, the producer should remain responsible to ensure compliance with microplastics concentrations in soil and water, reflecting the principle that the producer should pay.

EurEau has consistently promoted the 3P's, 'Paper, Poo and Pee' in terms of what should be flushed down the toilet. Significant quantities of plastics, which are partially broken down in sewage systems, enter the sewage system with little or no controls at source due to the poor labelling of such products. Mandatory, bold and clear 'do not flush' labelling on such products would reduce at source the entry of such plastics into sewers and from there the environment.

A detailed proposal regarding extended producer responsibility and micropollutants / microplastics is attached to this position paper.



## Proposed input to the report of the European Parliament

### The European Parliament

- Having regard to article 191.2 of the Treaty relating to the application of the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.
- Having regard to directive 2000/60/EC<sup>2</sup> defining water as a heritage which must be protected, defended and treated as such and requiring the protection of drinking water resources and aquatic ecosystems, and the application of the polluter-pays principle.
- Having regard to the United Nations Sustainable Development Goals and, in particular, goal number 6 aiming to ensure availability and sustainable management of water and sanitation for all.

### Whereas

- Extended Producer Responsibility schemes are considered an effective economic tool to internalise external environmental costs, implement the polluter pays principle and stimulate eco-design and innovation.

### Turning challenges into opportunities: A vision for a circular plastics economy

1. Emphasises that the vision must include the protection of drinking water resources and aquatic ecosystems from microplastics and their break-down products through improved product design and other appropriate measures based on extended producer responsibility.

### Curbing plastics waste and littering

2. Endorses the proposed actions relating to the rising problem of microplastics and supports the focus on control-at-source measures through restrictions and better design.
3. Calls on the Commission to take appropriate action so as to ensure that remedial action at any stage of the product life cycle are included in European Extended producer responsibility schemes.
4. Calls on the Commission to mandate improved, clear and bold 'do not flush' labelling on all products such as wet wipes etc. which are liable to be flushed down the toilet.

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<sup>2</sup> [Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for the Community action in the field of water policy](#)



## Driving innovation and investment towards circular solutions

5. Calls on the Commission to ensure that materials that fully biodegrade in freshwater as well as their decomposition products do not pose any risk to human health when entering drinking water resources.
6. Endorses the Commission's analysis of the benefits of Extended producer responsibility and calls on the Commission to include microplastics released from products throughout their life cycle in these schemes.
7. Invites the Commission to conduct a study determining the most effective ways to include the release of microplastics in the environment in extended producer responsibility schemes.



## About EurEau

EurEau is the voice of Europe's water sector. We represent drinking and waste water service providers from 29 countries in Europe, from both the private and the public sectors.

Our members are the national associations of water services in Europe. At EurEau, we bring national water professionals together to agree European water industry positions regarding the management of water quality, resource efficiency and access to water for Europe's citizens and businesses. The EurEau secretariat is based in Brussels, from where we coordinate the work of around 150 experts from member organisations and utilities and advocate common positions with EU decision makers.

Our members are fully committed to the continuous supply of clean water and its safe return into the water cycle. We have a role in raising awareness of threats to the water environment. With a direct employment of around 500,000 people, the European water sector makes a significant contribution to the European economy.



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