



# Position Paper on the Proposal for a Directive concerning urban wastewater treatment (recast)

**EurEau welcomes the European Commission’s Proposal for a Directive concerning urban wastewater treatment (recast) as its more ambitious objectives will align better with the overarching UN’s Sustainable Development Goals and the European Green Deal while enhancing the governance of the wastewater sector and people’s access to sanitation. Reaching the new goals and requirements as set out in the Proposal will require mainstreaming control at source, significant investments and time.**

**The purpose of this position paper is to identify the key topics within the Proposal which EurEau members see as the agenda to take forward through the amendments process, aiming at enabling an effective and efficient implementation and achievement of the Proposal’s objectives.**

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## 1. Introduction and general comments

EurEau welcomes the European Commission’s Proposal for a Directive concerning urban wastewater treatment (recast), herein after called the Proposal. Directive 91/271/EEC on urban waste water treatment (UWWTD) has succeeded in reducing environmental pollution from waste water and in enhancing the ecological and chemical status of the European water bodies<sup>1</sup>.

The original UWWTD is now 30 years old, and needed to be revised in order to deal with new challenges. The ambition of the Proposal is fourfold. It will allow water operators across Europe to tackle remaining pollution sources, better alignment with the overarching UN Sustainable Development Goals and the European Green Deal, enhance the governance of the wastewater sector and facilitate access to sanitation for more people.

This Directive is paramount for the wastewater sector, spearheading its development since 1991. We contributed to the evaluation process of the UWWTD<sup>2</sup> and we are glad to see that the Proposal addresses some of our concerns, allowing us to contribute to a more sustainable Europe.

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<sup>1</sup> Evaluation of the [Urban Waste Water Treatment Directive](#).

<sup>2</sup> Link to [EurEau website](#).



The Proposal aims to keep the clear and straightforward approach of the Directive 91/271/EEC. However, some definitions and requirements should be clarified for a better understanding and a proper implementation.

We welcome the reinforcement of control at source as the most effective way to tackle pollution, and specifically micro-pollutants. To this end, we fully support the introduction of Extended Producer Responsibility (EPR), which will enable investments in additional treatment steps if control at source measures are unable to meet wastewater quality thresholds, without jeopardising the affordability of water services for EU citizens. Additionally, to fully implement the ambition of quaternary treatment for micro-pollutants and associated costs, EPR schemes will need to be fully implemented and able to generate sufficient finance well before the requirements for quaternary treatment are in place.

We note that the Proposal will require significant investments in order to fulfil the new requirements. Therefore, it is of the utmost importance to invest first where it brings the greatest benefit to the environment whilst achieving the new objectives of the Proposal.

Furthermore, a revision of the proposed deadlines, as well as their internal coherence, is indispensable to allow our sector to sustainably implement the proposed requirements.

We welcome the will to align the future Directive with other water-related environmental directives and the Green Deal so as to contribute to EU-wide objectives. In particular, we value the benefits of improved wastewater treatment regarding the protection of water bodies intended for human consumption, which will also help to achieve the requirements set out in the Drinking Water Directive. However, we lament that the intention to keep the Proposal straightforward is at the expense of adaptation to local circumstances and to the proportionality achieved in both the Water Framework Directive (WFD) and the Marine Strategy Framework Directive (MSFD). We also regret that the Proposal does not consider the European Parliament's call to address the interaction between the design, construction and expansion of urban wastewater treatment plants (UWWTPs) and the obligation of non-deterioration to ensure coherence between the UWWTD and the WFD<sup>3</sup>.

The extension of the scope of the Directive may significantly increase the use of energy, treatment chemicals and materials/equipment and, subsequently, greenhouse gas (GHG) emissions. A holistic assessment, taking into account the collecting systems and the wastewater treatment facilities, as well as innovative solutions, is required to ensure future-safe investment decisions and contribute to the development of the potential of the wastewater sector in the circular economy.

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<sup>3</sup> European Parliament [resolution](#) of 17 December 2020 on the implementation of the EU water legislation (2020/2613(RSP)).



## 2. EurEau's detailed position

This section gathers those aspects we consider need to be amended or improved to allow for an effective, efficient and sustainable implementation of the future Directive<sup>4</sup>. From our initial analysis, these topics are: standards for nutrients in wastewater, micro-pollutants, Extended Producer Responsibility, storm water and urban runoff requirements, certain definitions, and some of the requirements for monitoring and energy management, as well as the proposed deadlines and the need for a transitional period.

### Definitions (Article 2)

In order to allow for a better implementation of the future Directive, some of the definitions included in the Proposal need to be further clarified or amended, such as: sludge, agglomeration, secondary and tertiary treatment, population equivalent, storm water overflow, separate sewer, and urban run-off, among others.

In addition, some new definitions should be included, as these terms are used, but not defined, in the Proposal, such as: discharge, urban runoff discharge, urban wastewater treatment plant, individual system, equivalent treatment, energy audit, risk and risk assessment, and load.

### Individual systems (Article 4)

We support limiting the use of individual systems (IS) in agglomerations with a collection system in place. However, well designed, sized, and managed IS are an appropriate, simple and robust solution for remote areas or for isolated dwellings where the establishment of collecting systems and UWWTPs can be very costly and sometimes with no added environmental benefit. Therefore, **IS should achieve the same level of environmental protection** as secondary and tertiary treatment (as stated in Directive 91/271/EEC), rather than ensuring the same level of treatment (as included in the Commission's Proposal).

Due to the diversity of situations across Europe regarding IS, defining regulatory frameworks for such systems should be done at the national or regional levels as a more effective and sustainable option. In this regard, we support that competent authorities are responsible for carrying out inspections of these systems.

### Integrated urban wastewater management plans (Article 5 & Annex 5)

We welcome and strongly support the inclusion of integrated urban wastewater management plans<sup>5</sup> (IUWWMP) as a useful tool to better address pollution from storm water overflows (SWO) and urban run-off discharges, allowing for improved coordination among the different authorities related to water management, and to better address the investment needs, introducing a holistic approach at the agglomeration level.

<sup>4</sup> EurEau is working on specific amendments, which will be included in a separate document.

<sup>5</sup> EurEau [briefing note on integrated waste water and storm water management plans](#).



The Proposal sets an indicative target for the maximum annual load to be released by SWO in Annex 5, corresponding to 1% of the annual collected urban wastewater load calculated in dry weather conditions. However, setting deadlines for meeting this indicative target makes it mandatory and binding, which contravenes any flexibility or proportionality regarding IUWWMP (highlighted in the recitals of the Proposal and in the Impact Assessment). This target will be almost impossible to reach and will lead to considerable investments, for example, in large buffering facilities in numerous Member States. Hence, we appeal for maintaining the **1% as an indicative target and establishing and justifying specific targets, with deadlines, in the IUWWMPs, according to the local needs for the protection of the receiving water bodies**, as this would allow for a framework that protects the environment while facilitating a more efficient and cost-effective implementation, as well as for better integration with the WFD objectives.

To monitor pollution from SWO and urban run-off discharges, we call for the definition of relevant easy-to-monitor parameters and the use of modelling instruments to complement the monitoring.

## Treatment of wastewater (Articles 6, 7, 8 & Annexes 1, 2)

### Secondary treatment (Article 6, Annex 1.B & Table 1)

We welcome the possibility of using an equivalent treatment for all agglomerations above 1 000 p.e. Such **equivalent treatment should achieve the same level of environmental protection** as secondary treatment and include nature-based solutions. However, given the significant investment needs, we call for the extension of the deadlines set in the Proposal for agglomerations between 1 000 and 2 000 p.e and for those between 2 000 and 10 000 p.e. discharging into coastal areas.

### Tertiary treatment (Article 7, Annex 1.B & Table 2, and Annex 2)

While embracing extended environmental protection, especially of water bodies for the abstraction of water intended for human consumption, we appeal for an approach to nutrient management that protects the environment, enables climate change targets to be met and for the energy neutrality of the sector to be satisfied. **An approach with the same standards for all UWWTPs regardless the size, local and climatic conditions will cause inefficiency and brings no additional environmental benefits** (for example, nutrient removal in UWWTPs in coastal locations where there is no eutrophication risk).

To achieve efficient and environmentally sound investment, the **requirements of the WFD at the water body level and of the MSFD regarding connected marine water bodies should be considered, as well as local climate conditions**. Nitrogen removal under cold climate conditions requires more energy but also more volume of treatment capacity at the UWWTP. In addition, natural nitrogen retention should be considered in the evaluation of sensitive water bodies.



Regarding the treatment requirements, we welcome the flexibility of choosing the application of concentration or percentage of reduction set in Table 2 of Annex 1.B. However, the Nitrogen removal requirements (85% or 6mg N/l) will need advanced treatment with full denitrification (demanding external sources of carbon - external carbon is needed if the nitrogen requirements are stricter than 10-12mg N/l), which will increase GHG emissions (primarily N<sub>2</sub>O). Nutrient removal requirements will be **difficult to reconcile with the requirement for energy neutrality**.

We encourage nutrient treatment requirements to be redefined and adjusted to the size of the agglomeration (as in the Directive 91/271), establishing **two thresholds (one for 100 000 p.e and above and another for between 10 000 and 100 000 p.e) to allow for a more cost-efficient implementation of nutrient removal requirements**.

To allow for the development of the potential of the wastewater sector towards the circular economy, and to promote the implementation of water reuse, if reclaimed water is to be produced in a specific wastewater treatment plant for agricultural irrigation purposes, less restrictive requirements for nutrient removal should apply.

Articles 7(1) and 7(3) address different subjects: UWWTPs of 100 000 p.e. and above for the former and agglomerations between 10 000 and 100 000 p.e for the latter, which leaves UWWTPs between 10 000 and 100 000 p.e. in agglomerations of 100 000 p.e. and above not covered by Article 7. Therefore, in order to ensure the continuity of the protection of the environment, Article 7 should be amended.

### **Quaternary treatment (Article 8 and Annex 1.B & Table 3)**

We strongly support all provisions reinforcing the control at source of micro-pollutants, as enshrined in Article 192(1) of the Treaty on the Functioning of the European Union, as the most sustainable way to solve the problem of micro-pollutants. Additionally, we welcome the ambition of the Proposal to extend the protection of the environment, and especially to water bodies for the abstraction of water intended for human consumption. Hence, Member States should be strongly encouraged to implement control-at-source measures as a preceding step to end-of-pipe treatment.

Implementing quaternary treatment will require significant investments. We are concerned that certain elements have not been fully considered in the impact assessment: the removal of micro-pollutants in UWWTPs will lead to an estimated additional annual cost of €8-25<sup>6</sup> per capita/year, which is beyond the costs provided by the Impact Assessment; additionally, quaternary treatment will increase the climate footprint and require an extra energy demand of 20-70%<sup>7</sup>.

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<sup>6</sup> Figures provided by EurEau members.

<sup>7</sup> Figures provided by EurEau members.



We welcome and support the risk-based approach included in Article 8(2) regarding the implementation of quaternary treatment for agglomerations between 10 000 and 100 000 p.e., and the special consideration and priority for those water bodies used for abstraction of water intended for human consumption, allowing to prioritise quaternary treatment in those locations where it brings the greatest benefit to the environment. Related to this risk-based approach, a majority of our members supported extending this approach to urban wastewater treatment plants of 100 000 p.e. and above as a way to steer the prioritisation of allocation of financial resources where the implementation of quaternary treatment would achieve better environmental protection. In addition, one EurEau member country<sup>8</sup> supports keeping the obligation of quaternary treatment for all urban wastewater treatment plants of 100 000 p.e. and above as in the Proposal, in order to show more ambition regarding environmental protection. Therefore, EurEau, as an organisation driven by a consensus approach, will not present a position on this aspect.

Additionally, and in order to allow for investments with a sound environmental benefit, the requirements for quaternary treatment should also include concentration as an alternative parameter, because concentrations of the indicator substances listed in the Table 3 of Annex 1 can be extremely low in the influent of the UWWTPs, making the reduction of 80% difficult and resource-intensive to achieve.

The proposed lists of micro-pollutants to be measured in Annex 1, Table 3 should be better coordinated with EU environmental legislation, such as the Priority Substances Directive and the revised EQS Directive<sup>9</sup>.

## Extended Producer Responsibility (Articles 9, 10 & Annex 3)

We strongly support the implementation of Extended Producer Responsibility (EPR) to fully cover the cost of quaternary treatment, and all related aspects of micro-pollutants from medicinal products for human use and cosmetic products, as a way to implement the Polluter Pays Principle, one of the key principles underlying the European Union's environmental policy<sup>10</sup>. Without these schemes, compliance with Article 8 will be extremely challenging in most countries.

Therefore, **Member States should ensure that EPR schemes are implemented and operational well before the first deadlines for compliance with quaternary treatment.** With a view to accelerating the implementation of quaternary treatment, Member States should consider pre-financing the needed investments until the EPR schemes are operational.

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<sup>8</sup> France.

<sup>9</sup> [Proposal for a Directive amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy.](#)

<sup>10</sup> [Special Report](#) European Court of Auditors: The Polluter Pays Principle: Inconsistent application across EU environmental policies and actions.



Given the given the regulatory framework of EPR is not clear yet, it is highly premature to include an exoneration clause for those producers placing less than 2 tonnes per year of a product on the national market. This will lead to a very limited implementation of EPR and a lack of implementation of the Polluter Pays Principle, especially in countries with a small population, thus, generating differences and inequalities among European citizens. Therefore, **we urge the elimination of paragraph 2(a) of Article 9, or, at least, define those 2 tonnes as placed on the EU market, to allow for the harmonised implementation of EPR schemes.**

Besides, while welcoming and supporting EPR schemes for producers placing on the market the products listed in Annex 3, we strongly encourage the inclusion of a provision on the adoption of delegated acts to extend this list, as considered in the Impact Assessment, allowing for all relevant polluting sectors to contribute to this system. Furthermore, we call for the development of EU guidelines and framework requirements for the implementation of EPR schemes.

## Energy neutrality (Article 11)

We support the contribution of the wastewater sector to energy neutrality. However, reaching energy neutrality should not be at the expense of the main goal of wastewater operators: collecting and treating wastewater to ensure health and environmental protection. Achieving energy neutrality in the sector should be based on an assessment of the technical and economic viability of the different measures to be implemented considering local conditions, including climatic and geographic, and it should contribute to, not hamper, the achievement of the Green Deal objectives on climate neutrality and to the goals of the REPowerEU Plan.

**The Proposal should consider a more holistic approach to allow for economically and environmentally sound investment decisions.** With this in mind, we encourage considering renewable energy produced not only on-site at the UWWTPs, since the reality of the sector differs widely across Europe. Even many of the bigger UWWTPs (above 100 000 p.e.) are still far from producing all the energy they may need (and in numerous cases, where it is achieved, it takes into account the energy produced in the whole urban cycle and not just in UWWTPs). Furthermore, it is often technically unfeasible to produce sufficient amounts of renewable energy on-site at UWWTPs to cover all their needs due to a lack of space, local power grid capacity, spatial planning constraints, etc.

Therefore, **we strongly encourage considering renewable energy used by UWWTPs independently from its origin**, i.e. the UWWTP or other assets of the wastewater system or the urban water cycle (biogas, solar or wind energy, hydraulic energy (turbines)...); thermal energy extracted from wastewater streams inside or outside the UWWTP; heat and electricity recovered from sewage sludge outside UWWTPs; renewable energy purchased externally or produced within a renewable energy community. Additionally, **any way the sector contributes to the production of renewable energy, even if used outside the wastewater facilities, should also be counted.**



It is important to highlight that achieving the investment needs for reaching energy neutrality in the set deadlines may deviate the allocation of investment for reaching the new treatment requirements, hence jeopardising environmental and health protection. The additional treatment requirements will increase the energy demand of UWWTPs hindering energy neutrality by 2040, even more so for those treating a load under 100 000 p.e. or for operators who operate numerous small wastewater assets in remote locations. Therefore, **we urge the extension of all deadlines related to energy neutrality.**

### Local climatic conditions (Article 13)

We welcome the consideration of local climatic conditions for UWWTPs. Considering the relevance of local climatic conditions for collecting systems, we would like to call for their inclusion in the scope of this article. This would allow for a holistic, effective, efficient and sustainable management of storm and wastewater.

### Non-domestic wastewater (Article 14 & Annex 1.C.)

We welcome and strongly support the requirement for the specific authorisation for allowing non-domestic discharges into collecting systems and UWWTPs, and the need for competent authorities to consult wastewater operators before granting such authorisations. Preventing non-domestic pollution in wastewater systems is a very relevant step to improving control at source, resulting in the further protection of receiving water bodies, especially of those intended for human consumption. We also welcome paragraph 1(d) in Annex 1.C, establishing a direct link with the Industrial Emissions Directive, currently under revision.

The Proposal should emphasise in Article 14 that only those discharges of non-domestic wastewater that can be treated in UWWTPs will be accepted into collecting systems and UWWTPs. If pollutants that cannot be abated in UWWTPs enter wastewater systems, the Polluter Pays Principle should be fully implemented and the liability for any damage either to the wastewater infrastructure, the environment or/and to human health should be on the non-domestic activity releasing those pollutants.

### Discharges of urban wastewater (Article 15)

We suggest extending the scope of the article regarding the authorisations of discharges from UWWTPs to include discharges from collecting systems, allowing for a holistic approach for the management of storm and wastewater. The specific formats and content for the authorisations should be defined by Member States.





## Urban wastewater surveillance (Article 17)

The wastewater sector is glad to contribute to the monitoring of possible epidemics or pandemics through surveillance of public health parameters in wastewater, but it is important to **clearly allocate the responsibilities of the different actors involved as well as the costs**: the burden for UWWTP operators should be reasonable and the costs for surveillance cannot be covered by them. The organisation and the reporting on the surveillance of health parameters in wastewater should be responsibility of health authorities. Besides, the inclusion of new parameters should be based on sound scientific research, as well as on health regulations and recommendations by competent authorities.

To allow for the better alignment of EU water-related directives, we encourage following the same approach regarding antimicrobial resistance as in the Proposal for a revised EQS Directive, in which the inclusion of antimicrobial resistant genes in the watch list is subject to guidance documents and methodologies for sampling, measuring and analysing these (to be developed by ECHA).

## Monitoring (Article 21 & Annex 1.D)

We welcome the adaptation of the monitoring obligations to the size of the UWWTPs and we support the extension of the scope of the monitoring, considering the broadening of the scope of the Directive. However, the frequency of the monitoring should allow for verifying the compliance with the requirements of the Directive while not implying an additional economic burden on wastewater operators.

In this sense, we note that the proposed minimum annual number of samples to be collected (annex 1.D) has significantly increased, being multiplied by 3, 6 or even 20, depending on the size of UWWTPs, but it is not clear if this increase will provide an added value. The impact in terms of analytical costs of these samples for wastewater operators will be substantial: as an example, an UWWTP treating a load of 20 000 p.e. will have to take 24 samples (instead of 12) plus 12 samples for micro-pollutants, which will multiply the price by 22 to 60 times<sup>11</sup>; for an UWWTP treating a load of 110 000 p.e., the number of samples will be 469 (365 plus 104 for micro-pollutants), instead of 24, with the price being multiplied by 100 to 266 times. Therefore, **we encourage defining a minimum annual number of samples to be collected that provides for the verification of the compliance without entailing a substantial impact in terms of analytical costs.**

In addition, the list of pollutants included in Article 21(3)(a) should be clear and concise, avoiding duplications among directives, and only to be monitored when concentrations have been detected above EQS by the application of the provisions of other directives. While we fully support the special protection of water resources intended for human consumption, we suggest limiting the list of parameters to be monitored (Article 21(3)(b)) to a selection of compounds of concern.

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<sup>11</sup> Figures provided by EurEau members.



## Risk assessment and management (Article 18)

The inclusion of a risk-based approach for the implementation of the Directive is important and welcomed, especially regarding discharges into water bodies used for the abstraction of water intended for human consumption. But, furthermore, **we call for mainstreaming a sound control at source approach for pollution in wastewater in line with TFEU Article 191.2**. In other words, if a specific risk is identified, its source should be found, and corrective measures implemented at source. Only if this is not possible, should end-of-pipe measures be taken with the polluter paying for the necessary investments and additional operational costs.

Regarding the treatment requirements set in Article 18(2), we call for the inclusion of **equivalent treatment to achieve the same level of environmental protection** as with secondary, tertiary and quaternary treatment, including nature based solutions.

In addition, we suggest aligning the timing of the review of the risk assessment with that of the review of River Basin Management Plans, allowing to address such review within the broad risk assessment of water bodies carried out in compliance with the WFD.

We encourage the development of guidance at EU level prior to carrying out the risk assessment and management to allow for the harmonised implementation of this article.

## Sludge (Article 20)

Sludge is the one of the main by-products of a treatment plant, and its production is also a crucial parameter for the design and the sizing of an UWWTP, as well for its management. We welcome the provisions of sludge to be treated, recycled, and recovered, whenever appropriate, as a means to further contribute to the circular economy. In this regard, **mainstreaming control at source of harmful pollutants is a prior condition for sustainable sludge management**.

Setting nutrients recovery requirements through a future delegated act before it is clear if the Sewage Sludge Directive will be revised (and how) may result in a burden for wastewater operators since they will have to plan investments in a scenario of uncertain deadlines and requirements. Hence, we call for linking this possible future delegated act with the revision of the Sewage Sludge Directive.

To allow for the full potential of the wastewater sector towards circular economy, we encourage the use of sludge in agriculture as a way of reusing and recycling Phosphorus, Nitrogen and Carbon. Furthermore, an **enabling legislative framework is needed to develop a functional market in the EU for recovered Phosphorus and Nitrogen**<sup>12</sup>.

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<sup>12</sup> [EurEau Briefing Note on Nutrient and wastewater management](#).



## Access to sanitation (Article 19)

We strongly support the ambition of the European Commission to realise the Human Right to sanitation and the implementation of the UN Sustainable Development Goal 6, as well as alignment with the Directive (EU) 2020/2184.

We share the ambition to improve access to sanitation for all, and in particular, for marginalised and vulnerable groups, including in public spaces. Any such scheme needs to consider where the responsibility for maintenance, hygiene and cost coverage of these installations will lie (as this will likely be outside the remit of wastewater operators). Local authorities are best placed to decide on these aspects.

## Information to the public (Article 24 & Annex 6)

We favour transparency and back the European Commission's intention to make consumers aware of wastewater and stormwater services, and we support the focus on the information to be provided on the wastewater quality aspects included in Article 24(2).

Providing relevant information to the public could lead to more understanding and awareness from the public and policy makers. It is, however, unclear who must carry out the obligation to ensure that information is made available online. We underline that the means by which the information will be provided to the public, as well as any additional information to be included, should be defined at national level during the transposition period, while complying with applicable data protection rules.

Additionally, we underline the need to harmonise the criteria and levels on which the information is to be provided under the requirements of Annex 6: UWWTP, agglomeration, or sector at national level. Besides, we suggest providing the information related to costs & investments, energy, GHG emissions and complaints for agglomerations or UWWTPs of 10 000 p.e. and above, allowing for a better alignment with the Directive (EU) 2020/2184.

## Exercise of delegation (Article 27)

We support the need of adapting the Proposal to scientific and technical progress but, considering the inflexibility of wastewater assets, delegated acts should be proposed after reviewing the implementation of the Directive, or after its evaluation, and based on sound international scientific and technical progress.

## Compensation and penalties (Articles 26 & 29)

Both compensations and penalties should be limited to negligent violations or infringements and should not cover force majeure situations. Furthermore, alignment with current EU legislation on the matter should be ensured, such as Directive 2004/35/CE<sup>13</sup>.

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<sup>13</sup> Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (currently under revision).



## Deadlines

As a general assessment, the deadlines set for new provisions and requirements, and especially those related to secondary, tertiary and quaternary treatment, management of storm water and urban run-off, and energy neutrality (all starting in 2030), are too short to enable an efficient implementation of this proposed Directive. Therefore, we **urge the extension of these deadlines**<sup>14</sup> to allow our sector realise these requirements, **considering the long-time leads needed to materialise investments** (decisions processes, studies, land acquisitions, impact assessments, permits and authorisations, public procurements, civil works and equipment, tests and validation, etc.).

Furthermore, there appears to be some inconsistencies regarding the deadlines. On the one hand, all the targets set for 31 December 2025 will have to be complied with during the transposition period, which may come with an extra burden for Member States. On the other hand, setting the reporting requirements by 31 December 2025 or 36 months after the entry into force of the Directive, collides with those implementation deadlines that are set well after the reporting deadlines.

## Economic aspects

The implementation of the requirements established in the Proposal will lead to a significant increase in costs, especially those related to secondary treatment being applied to a greater number of small wastewater treatment facilities, tertiary and quaternary treatment and monitoring requirements, as well as for energy neutrality targets and for storm water and urban run-off management. The assessment of the total costs (CAPEX+OPEX) in the Impact Assessment seems underestimated. The mentioned increase of the water tariff/water billing of 3.85% is almost 5-10<sup>15</sup> times lower than the actual increase of costs that will be needed to adapt UWWTPs to the new requirements, estimated at 15-30% increase of the water tariff (based on pre-pandemic costs of 2019). On top of this increase there is also the dramatic increase in the prices for energy, treatment chemicals and other products and materials which started in 2021 and rocketed due to the invasion of Ukraine in 2022.

Therefore, it is of utmost importance to invest first where the goals of the Proposal are better achieved (to protect environment, health and allow for future development) and to promote economic aid through European funds.

Thus, we welcome the inclusion of planning of investment in the national implementation programmes, as it should trigger further investments for compliance with the Directive, as well as investments for renewal of wastewater assets and identification of potential sources of public financing to complement users' charges.

We strongly support the inclusion of full EPR schemes to address quaternary treatment, which will contribute to a better implementation of the Polluter Pays Principle.

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<sup>14</sup> Specific amendments on deadlines for each article will be proposed in the amendments' document.

<sup>15</sup> Figures provided by EurEau members.



Wastewater assets are capital intensive and require long-term sustainable financing. After a high initial investment they need a long pay-back period. Hence, in order to allow for the recovery of costs of recent investments in wastewater assets, transitional provisions should be included.

### 3. Conclusions

EurEau welcomes the Commission’s Proposal for a new urban wastewater treatment Directive, its extended scope and the new ambitions set in it, as this will allow the wastewater sector to contribute to the realisation of the overarching objectives of the Sustainable Development Goals and of the European Green Deal, contributing to a more sustainable and resilient Europe.

The wastewater sector has been largely contributing to the protection of the environment and human health through wastewater collection and treatment, as showed the evaluation of the Directive 91/271. However, the zero pollution ambition cannot only lie with end-of-pipe solutions and, therefore, we call for mainstreaming a prior sound control at source approach for pollution in wastewater, in line with TFEU Article 191.2.

To fully implement the Proposal and contribute to the realisation of its ambition, we appeal for a holistic approach that allows for economically and environmentally sound investment decisions that will bring the greatest benefit to the environment whilst achieving the new objectives of the Proposal.



#### About EurEau

EurEau is the voice of Europe’s water sector. We represent 70,000 drinking water and wastewater operators from 31 countries in Europe, from both the private and the public sectors.

Our members are 36 national associations of water services, whom we bring together to agree on European water sector 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.

