

# POSITION PAPER ON THE REVISION OF THE URBAN WASTE WATER TREATMENT DIRECTIVE



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### Preamble

When the Urban Waste Water Treatment Directive 91/271/EEC (UWWTD) was introduced twenty years ago, the majority of the European Mediterranean cities, even of economically advanced countries, had totally inadequate waste water treatment plants, polluting through their sewage the Mediterranean Sea. The implementation and enforcement of the UWWTD, as evaluated recently, demonstrated effectiveness in reducing pollution, protecting the environment and health, and contributing to achieve the good status objectives of both the Water Framework Directive 2000/60/EEC (WFD) and the Marine Strategy Framework Directive 2008/56/EC (MSFD) and those of the Bathing Water Directive 2006/7/EC, while it inspired improvements at national and regional Mediterranean level beyond the EU Member States, including through the Barcelona Convention.

The recent EU ambitious steps towards sustainable development and green and blue transition, namely the **European Green Deal** (2019), the **Circular Economy Action Plan** (2020) and the **2030 Biodiversity Strategy** (2020), the **EU Strategy for Energy System Integration** (2020) and the **New Agenda for the Mediterranean** (2021), all stress the importance of strengthening and advancing the protection of aquatic and marine ecosystems and biodiversity and collectively obtain the relevant UN Sustainable Development Goals, while working more systematically in obtaining the zero-pollution target. The fact that adequately treated waste waters are not infectious for COVID-19, indicates that the untreated waste waters present a threat to be addressed. Therefore, all EU waste waters need to be treated properly.

#### MIO-ECSDE welcomes the European Commission's Inception Impact Assessment on the UWWTD, encouraging the Commission to come with a flexible but legislative action that also ensures balance between the most cost-effective solutions to protect human health and the environment and innovative alternatives.

In this spirit, MIO-ECSDE expects to find in a proposed new legislation not only the expansion of waste water treatment to capture the remaining, not considered in the UWWTD pollution sources, but also in making sure that new waste water treatment should obtain cleaner treated effluents, suitable to be reused in many vital uses in the water scarce Mediterranean area and encourage innovation extending from energy efficiency to energy production and nutrient recovery.



# INPUT

MIO-ECSDE wishing to contribute in a useful, constructive and focused way in the present document of the Inception Impact Assessment has summarized its observations on the identified problems that the initiative aims to tackle in the following table, while comments on the objectives, policy options and the very encouraging announcements made by the Commission, follow.

### A. UNCOVERED BY THE UWWTD IMPORTANT SOURCES OF POLLUTION



The problems that the initiative has identified and aims to tackle

#### The storm water overflows and untreated surface runoff that represent considerable volumes which are expected to occasionally increase, both in volume and in frequency.

2 Small agglomerations (e.g. settlements below 2000 p.e.) that are not covered by the UWWTD.

The management and treatment of these waters could prevent floods and through appropriate retention and detention systems could be used for agricultural purposes and/or enrich the overexploited Mediterranean ground aquifers. This is a policy already explored or exploited by Mediterranean countries and the provisions of the new legislative initiative should seriously take this into account to safeguard environmental safety and public health, including good quality of groundwaters. In this framework, coherence with the Regulation 2020/741 on minimum

**MIO-ECSDE** comments

It is very important to consider the local conditions and provide for appropriate incentives and support. In many Mediterranean countries, unlike the European North, settlements are in remote mountainous areas and islands, but close to important streams, wetlands and coasts, the water quality of which needs to be protected, while beneficiaries who could bear the costs, such as hotels, are not there to contribute to the installation and operation costs of waste water treatment plants.

requirements for water reuse should be ensured.

A range of waste water disposal arrangements is excluded from the scope of UWWTD because they occur outside agglomerations or in small agglomerations without collecting systems. Nonetheless, there are considerable challenges to ensure that existing practices (e.g. septic tanks and cess-pits) do not cause water pollution.

Nature-based systems, such as phyto-remediation, characterized by a very low energy footprint should be included.

Flexibility should prevail for solutions adapted according to different contexts that can ensure sustainable operation.

The initiative should provide for the bad designs to be identified and corrected or improved through regulation, awareness and incentives. Poorly managed and unmonitored individual systems require an improvement of governance in combination with employment of modern surveillance systems.

 Badly designed, poorly managed and/or unmonitored individual systems that can be found in all types of agglomerations throughout the Mediterranean countries.

# INPUT

### **B. RELATED PENDING ISSUES**



#### The problems that the initiative MIO-ECSDE comments has identified and aims to tackle Eutrophication The initiative needs to strengthen the prevention of discharge of nutrients in sensitive systems (the concept of sensitive to eutrophication ecosystems needs to be reviewed). Nutrient recovery at source from waste waters needs to be encouraged. In effectively addressing eutrophication of many major water bodies, it is important to enhance synergies with the agricultural sector and the relevant EU legislative framework. The initiative should enhance a uniform monitoring, Inadequate, inefficient and outdated water employing reasonable parameters and make the necessary monitoring schemes and systems. link for full utilization of the Digital Transition. The Citizen Science approach and capacity building should be encouraged for appropriate and effective monitoring and reporting. Inadequate or incomplete provisions and/or The announcements made in part B (objectives and policy mechanisms to ensure access to meaningful options) address this issue. information and to justice.

The latter two (B.2 and B.3) are management issues and together with the frequently observed lack of appropriate financing are directly linked to deficiency in governance.

Provisions for improvement of governance in general and water governance in particular need to be included in the new initiative. Governance will be facilitated by clarity in the new legal provisions making sure that its provisions are coherent with those of other EU related policies. Stimulating application of circular economy policy could facilitate the speed-up of the needed investments.

### C. SOME ISSUES NOT PROMINENT WHEN THE UWWTD WAS INTRODUCED



Contaminants of emerging concern (CECs) e.g. micropollutants (pharmaceuticals, microplastics, household chemicals, etc.). Missing categories of contaminants are per- and polyfluoroalkyl substances (PFAS) and those related to odour pollution. While some references are made to GHGs, methane is not singled out. Similarly, a series of contaminants found mostly in sewage sludge should be considered in close synergy with the Sewage Sludge Directive 86/278/EEC, particularly if the sludge will be further used for applications in agriculture or landscaping. MIO-ECSDE appreciates that the initiative includes possibilities to adopt a **life-cycle approach**, starting with prevention, in line with the Precautionary Principle, and integrating **Extended Producer Responsibility** (EPR) schemes introduced for the first time for waste water.

Prevention should be linked with other policies (such as trade, industrial, consumer) in a coordinated way, to avoid or drastically reduce the use of some categories of pollutants which are very difficult to be removed after entering the water system, such as intentionally added microplastics.

EPR could be particularly useful for contaminants of emerging concerns and pharmaceuticals, as it has been also stated by the OECD report [i] on financing water. Such application implements the **Polluter-Pays Principle** and could ensure that tap water consumers are not charged the costs of emerging pollutants through water bills or general taxes and new investment costs are borne fairly and proportionally also by polluting industries.

The new legislative action should unlock the potential of reuse of properly treated waste and grey waters and all other non-conventional water resources (NCWRs), increased energy efficiency, extensive use of renewable energy, and circular economy (e.g. nutrient or energy recovery from sludge or from waste water) which was missing from the UWWTD. This can substantially contribute to addressing in innovative ways the **"Water-Energy-Food-Ecosystem" (WEFE) Nexus**.

Furthermore, green infrastructure & nature-based solutions should be encouraged for applications also in the urban environment, in public spaces and private buildings, as well as in industrial installations. Such multidisciplinary approach could integrate rainwater and NCWRs management in urban planning and stimulate the active participation of all sectors, including building and transport, as well as citizens' involvement.

Multidisciplinary approaches require modernization of national legislations to avoid misconceptions, for instance by making clear distinction between the protection of the receiving waters and full reutilization of treated waste water within the industrial units, even if located in sensitive areas where no discharge to the environment is involved (e.g. use of treated waste water for toilet flushing or maintenance of green roofs).

Successful development, implementation, and enforcement of a new legislative action on waste water treatment will require in-depth understanding of the interconnected issues and close collaboration of national and local administrations, waste water services, industries and citizens. **Citizen Science** methods should be considered, when there is nuisance and impacted citizens, to initiate investigation/control processes or to monitor measures taken (e.g. before/after odour or other control mechanisms are put in place). Appropriate **education** and **awareness-raising**, timely **dissemination of information**, full **transparency**, and **public participation** are important tools for success.

[i] OECD, 2020, Financing Water Supply, Sanitation and Flood Protection: Challenges in EU Member States and Policy Options (OECD 2020).





## Mediterranean Information Office for Environment, Culture and Sustainable Development (MIO-ECSDE)

### Who we are

We are a non-profit Federation of 133 Non-Governmental Organizations (NGOs) working in the fields of environment and development in 28 countries of the Euro-Mediterranean area.

## **Our mission**

To protect the natural environment and cultural heritage and promote Sustainable Development in a peaceful Mediterranean by bringing together the efforts NGOs, governments, international organisations, other socio-economic partners and networks.

## What we do

We act as a technical and political platform furthering synergies and strengthening public participation on resources and waste, nature and biodiversity, cultural diversity, climate change, health and environment as well as on horizontal and cross-cutting issues.

# A network of networks

We facilitate the work of four other networks of major Mediterranean stakeholders:

- MEdIES, the Mediterranean Education Initiative for Environment and Sustainability
- COMPSUD, the Circle of Mediterranean Parliamentarians for Sustainable Development
- COMJESD, the Circle of Mediterranean Journalists for Environment and Sustainable Development
- MedUnNet, the Mediterranean Universities Network for Education for Sustainable Development.

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