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Sustainability Growth Innovation*

Position Paper

Annex to SGI Europe's Position on the UWWTD

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SGI Europe welcomes greatly the opportunity to comment and be part of a fruitful consultation phase of the revision of the Urban Waste-Water Treatment Directive (91/271/EEC) that needs to be urgently adjusted to the new challenges posed by climate change, micro and emerging pollutants. We are in particular very supportive of the intention to closely link the revision with the EU Green Deal, the Zero Pollution Action Plan and the Circular Economy Action Framework in the areas of water, climate, energy, and industrial emission policy.

In addition to [SGI Europe's position paper on the Urban Waste Water Treatment Directive from 20 July 2021](#) and in response to the policy options presented by the European Commission in the EU Stakeholder event on the revision of the UWWTD on 26 October 2021, SGI Europe would like to further underline its recommendations on the different policy options.

To reduce the pollution from small agglomerations not falling under the UWWTD

Reduce Pollution from smaller Agglomerations not covered by the UWWTD (below 2 000 p.e.)		
Option 1	Option 2	Option 3
Member State decides if the UWWTD applies to a small agglomeration based on a risk-based approach	Collection, treatment and reporting required for agglomerations > 1.000 p.e. Member State to ensure that households connect to public networks if already possible	Collection, treatment and reporting required for agglomerations > 500 p.e.

On the need to choose which approach to take regarding small agglomerations, SGI Europe advised the European Commission to take into account the population density in the different Member States and to adjust measures accordingly. We would therefore like to emphasize that a risk-based approach is essential in this case.

SGI Europe believes that a one-size-fits-all approach is not bringing the added value to mitigate water pollution from small agglomerations. On the contrary, such an approach could lead to disproportionate costs and higher administrative burden in a cost-benefit analysis, especially in sparsely populated regions in Member States. Requirements for sewer connections and the handling of individual systems in general should remain the responsibility of local and regional authorities.

Therefore, SGI Europe agrees with **Option 1** which states that Member States decide if the UWWTD applies to a small agglomeration based on a risk-based approach. However, the possible assessment from each Member State does not mean that no further action is needed. For example: more strict requirements should apply for vulnerable areas used for drinking water supply

Indeed, requirements as well as enforcement actions must focus on where it is the most impactful. The pressure on the environment from these smaller agglomerations are relatively low compared to other sources.

Furthermore, smaller WWTPs and IAS are already regulated by national legislation and included in the Programs of Measures under the Water Framework Directive. In respect with an holistic approach, the cost-effectiveness and the real impact needs to be taken into account. The example of the differences between Dutch and Swedish geographic/demographic conditions point this out very efficiently.

To reduce pollution from small scale treatment in agglomerations (IAS)

Reduce pollution from small scale treatment in agglomerations (IAS)		
Option 1	Option 2	Option 3
Commission to provide guidance on IAS technologies, registration, monitoring and inspections Member State to apply risk-based approach to reduce IAS use	Member State must have a national inventory of IAS and implement a strategy for inspection & management Commission to revise the EU standards on IAS Member State to ensure that households connect to public networks if already possible	Member State must report to the Commission IAS monitoring data if >5% of the country's load is treated by IAS Member State to ensure that a maximum of 2% of load in any agglomeration is addressed by IAS

SGI Europe previously suggested to **not extent the scope of the UWWTD to cover IAS**. If the Commission refers to the IAS waste-water treatment facilities outside defined agglomerations, it will be very difficult to regulate in the ways the Commission suggests. Due to the different geographic and demographic conditions in Europe, a one-size-fits-all approach for centralised sewer systems would not be beneficial and appropriate. Therefore, SGI Europe overall accepts the Policy **Option 1** which states that the Commission will provide guidance on IAS technologies, registration, monitoring and inspections and that Member States would need to apply a risk-based approach to reduce IAS use. Also, any **risk assessment must be made locally, deepening on the local pressures on the environment**.

To reduce pollution from storm water overflows (SWO)

Reduce pollution from storm water overflows (SWO)		
Option 1	Option 2	Option 3
Commission to provide guidance on strategies for storm water overflows and urban run-off Member State to apply risk-based approach to reduce storm water overflows	Commission to adopt EU targets for big agglomerations, e.g. > 1 % of annual sewage volume overflows Agglomerations > 100.000 p.e. must have a strategic plan to manage overflows and run-off based on prevention/green infrastructure	Commission to adopt EU targets for all agglomerations Agglomerations > 50.000 p.e. to have a strategic plan to manage overflows and run-off

SGI Europe's pointed out that a **common EU approach for dealing with storm water overflow and urban runoff, that considers the local conditions, would be appreciated**. Such an approach should in the future contribute to increasing resilience against extreme weather events in densely populated areas and at the same time include aspects of local infiltration, evaporation, retention and use with the aim of minimising discharge to evaluate pollution from stormwater overflows and urban runoff, a basin-based assessment should be conducted.

SGI Europe welcomes the **Option 1** which states that the Commission will provide guidance on strategies for storm water overflows and urban run-off and that each Member State will need to apply a risk-based approach to reduce storm water overflows, especially for vulnerable areas.

SGI Europe also agrees with **Option 2** but believes that the core problem still remains that agglomerations grow faster than WWTPs do. The Commission should therefore look into an approach to deal with this unequal development.

In highly dense urban areas, there is often a lack of physical space to allow for the sub-sequent treatment of polluted stormwater, if required. In urban development projects or structural rehabilitation, stormwater management, including flood prevention, must be taken into account in construction law.

Moreover, the inclusion of individual plants in the monitoring practice would not be expedient, as the determination of the discharge water volume would involve considerable additional (administrative) burdens and should be avoided as much as possible. A uniform obligation to construct further stormwater treatment facilities should also be avoided.

To reduce micropollutants

Reduce Micropollutants		
Option 1	Option 2	Option 3
Commission to provide guidance regarding micropollutants removal and monitoring the presence of microplastics in waste water and sewage sludge Member State to decide if micropollutants removal by treatment is needed in particular plant	Treatment plants > 100.000 p.e. must monitor and remove micropollutants Operators of remaining treatment plants must monitor micropollutants level in effluent and treat where necessary	Treatment plants > 10.000 p.e. must monitor and remove micropollutants

SGI Europe has so far emphasised that new legal requirements under the UWWTD on micropollutants should be based on the precautionary principle and the control at source principle, whilst the financing of measures should be primarily based on the polluter pays principle, in accordance with Art. 191(2) TFEU. A preferred option for micropollutant reduction should be more coherent with the revision of the Industrial Emission Directive (IED), where possible further restrictions and the use of Best Available Techniques (BAT) should be considered when discharging industrial waste-water with Substances of very high concern (SVHC) in a waste-water collection network. This will reduce micropollutants at the source.

SGI Europe reiterates its main position on the need to reduce micropollutants: there is the need of **the introduction of a risk-based approach**, closely linked with the decisions made on whether an upgrade of WWTPs is proportionate, relevant and brings added-value. Further treatment stages in waste-water treatment plants should only be introduced where they are absolutely necessary and beneficial from an ecological or use-related point of view. An important criterion is to determine whether there is a corresponding load situation and pollution level in the water body and whether its quality can be improved through further treatment. Before installing further treatment processes in a waste-water treatment plant, it needs to be examined if pollution of the receiving water is caused by other point or diffuse sources and which measures are to be taken at these sources in accordance with the polluter-pays principle.

Overall, **the plans for a targeted reduction of micropollutant inputs into water bodies should always refer to the quality and management goals pursued for the entire river basin area. Those plans should also** address the usage requirements beyond the local water situation with the specific improvement and protection goals pursued, and harmonise these with one another. This requires a systematic approach in terms of a holistic view, based on the overall exposure and the effectiveness of possible measures. Reducing pollution at the source must have priority over other reduction measures. Establishing measures based on the river basins and thereby transcending national borders is a necessary and reasonable approach to achieving the objectives of the Water Framework Directive.

SGI Europe agrees with the Commission's Option 1, but there is the need to take into account the position of WWTPs.

Also, SGI Europe would welcome more ambitions by including references to drinking water protection and the use of the water bodies, as for up and down streams. Which is in line with the recently revised European

Drinking water Directive, where risk Assessment and risk management is prescribed for catchment areas used as drinking water sources. These references should relate to the treatment of receiving waters.

Finally, SGI Europe warns that the quantitative classification made by the Commission in Option 2 and 3 seems to take into account only the loads and exempt the water flows.

On the need for a Circular Economy

Circular Economy		
Option 1	Option 2	Option 3
Commission to provide guidance on phosphorus recovery and evaluating potential for water reuse by treatment plants	Treatment plants > 100.000 p.e. must recover phosphorus Commission to provide mini-mum levels for phosphorus recovery	All treatment plants must recover phosphorus If sludge is incinerated, phosphorus recovery is mandatory for min 80 % recovery rate for phosphorus

SGI Europe called for linking the UWWTD with the Sewage Sludge Directive and asked for a coordination and harmonisation of both Directives whilst encouraging energy and resource efficiency opportunities, with the priority to ensure full environmental protection first.

SGI Europe reiterates the urgent need for the European Commission to introduce binding requirements that ensure market access for phosphorus recycles, other sludge-based products and recovered materials is guaranteed.

SGI Europe restates that a mechanism on end-of-waste criteria should be developed to support innovations of sludge-based products and circular economy (e.g., through a binding purchase quota).

Relatively to the policy options presented, SGI Europe believes that the Option 1 proposed by the Commission is acceptable. However, the guidance should not translate a one-size-fits-all approach.

SGI Europe calls for the legislation to be technology neutral to find the most appropriate solution for local conditions with the available technologies, thereby ensuring that national approaches, such as sludge incineration, are respected.

In addition, nutrients and secondary raw materials should be taken into account for a proper circular economy within the UWWTD. This should allow, and SGI Europe emphasises this point, to widen the ambitions on Circular Economy within the UWWTD.

To increase energy efficiency

Increase energy efficiency		
Option 1	Option 2	Option 3
Commission to provide guidance on energy audits of treatment plants, including monitoring and reporting of energy use. Member State to decide which treatment plants need to be more energy efficient	Treatment plants > 100.000 p.e. must improve energy efficiency including regular energy audits for their plants and public networks	Treatment plants > 10.000 p.e. must improve energy efficiency including regular energy audits for their plants and public networks

SGI Europe highlighted that the introduction of a fourth treatment stage in waste-water treatment could logically not correspond to the overall reduction of energy consumption in WWTPs.

SGI Europe agrees with the need to increase energy efficiency and that the goal of climate neutrality by 2050 must be closely interlinked with the European environmental and water protection goals as much as possible. Still, SGI Europe **reiterates that** further energy efficiency requirements for UWWTP must remain secondary to the overarching aim of reducing pollution through the waste-water treatment process. Hence, SGI Europe believes that Option 1 is acceptable in general.

SGI Europe believes that WWTPs should increase their efficiency but without the inclusion of binding targets per Treatment Plants. Many operators have already been trying continuously to minimise their energy consumption and have invested in appropriate measures. Energy audits or comparable methods on a voluntary basis can show the extent to which further increases in energy efficiency are necessary and feasible. Small and medium-sized enterprises would be disproportionately burdened if, in addition to the waste-water treatment requirements and higher energy prices, they were also burdened with energy efficiency requirements.

To reduce greenhouse gas emissions

Reduce Greenhouse Gas Emissions		
Option 1	Option 2	Option 3
Commission to provide guidance regarding reporting of GHG emissions from treatment plants.	Member States must report to the Commission levels of GHG emissions from treatment plants	Member States must reduce GHG emissions to reach climate neutrality

SGI Europe reminded that the waste-water sector is aware of its contribution to GHG emissions and is already involved in reducing them. **SGI Europe highlighted that the sector needs a concrete, simple and EU-wide methodology to determine current emissions covering all relevant steps in waste-water treatment and all significant types of emissions.**

However, the Policy options presented by the European Commission do not specify any EU-wide methodology to determine the current emissions in waste-water treatment.

Therefore, SGI Europe agrees with the policy **Option 1** overall but encourages the Commission to support the development of a common EU methodology for the measurement of GHG emissions and the development of tools to reduce GHG emissions. At this point, setting general reduction targets is premature and would lead to considerable uncertainties for the sector. In addition, the results of such an approach would have to be evaluated in the comprehensive context of greenhouse gas emissions and in comparison to other sectors such as agriculture. A disproportionate burden on the waste-water treatment sector should be avoided.

Extended producers responsibility (EPR) to fund micropollutant removal

Extended producers responsibility (EPR) to fund micropollutant removal		
Option 1	Option 2	Option 3
Commission to provide guidance regarding Extended Producer Responsibility Member States to decide whether to fund upgrades of treatment plants by EPR	Member State must establish an Extended Producer Responsibility Scheme for pharmaceuticals to fund upgrades of treatment plants to remove micropollutants	Member State must establish a fund for upgrading of treatment plants to remove Micropollutants Obligation for Extended Producer Responsibility Scheme for pharmaceuticals and personal care products

A coherent legal framework that embeds the revision of the Urban Waste Water Directive in the Green Deal provides the necessary basis for measures that focus on the source and consider the entire life cycle in order to prevent pollution of micropollutants. Particularly with regard to the implementation of the EU strategy on pharmaceuticals in the environment, the revision of the UWWTD must not lead to a one-sided focus on urban waste-water treatment plants.

Emissions of micropollutants can only be avoided directly at the source, ideally by not placing substances on the market in the first place, or with additional restrictions on emissions to reduce their impact on water bodies. For this reason, SGI Europe expressly supports the European Commission's intention to implement Extended Producer Responsibility (EPR) schemes. In this context, the life cycle concept should not be lost sight of: Holistic producer responsibility goes far beyond the financing of "end of pipe" measures. Polluter-related prevention at the source must have priority over other reduction measures and their financing.

Regarding the presented options, SGI Europe is in favor of Option 3, which stipulates that "Member State must establish a fund for upgrading of treatment plants to remove micropollutants Obligation for Extended Producer Responsibility Scheme for pharmaceuticals and personal care products."

SGI Europe welcomes the Commission's considerations regarding the implementation of the Extended Producers' Responsibility and the associated financing based on the polluter-pays principle. End-of-pipe solutions in the waste-water industry are neither a comprehensive nor a sustainable solution. In this respect, the implementation should be legally binding. EPR should not only be applied to the product groups of pharmaceutical products and personal care products as proposed in the policy options but should also be extended to other product groups as required.

Extended Producers' Responsibility schemes should be implemented coherently on a European level according to option 3. The assumption of costs by the producers/importers of products for further treatment stages is required. Such an approach is in line with the polluter pays principle and fosters innovations aimed at preventing the discharge of pollutants into the aquatic environment.

In addition to EPR, users and consumers must also be considered. Avoidance, prevention, and removal at source must be managed more stringently. This includes, among others, the construction and building materials industry, and tyre abrasion. The legislative gap of not prohibiting the discharge of non-regulated pollutants, de facto allowing the introduction of these non-regulated pollutants into the water cycle without risk assessment, must be closed.

Information to the Public

Information to the Public		
Option 1	Option 2	Option 3
Operators are encouraged to make key information available on invoices to customers and on websites	Operators must make key information available on invoices to customers and on websites including treatment plants discharge information	Member States must host an up-to-date website with • key national information • links to websites containing local information

SGI Europe supports the general objective to inform the public in a targeted manner about the importance of services of urban waste-water treatment. An informed public is an essential success factor in ensuring public awareness of the challenges of waste-water management and water protection and gaining acceptance for the associated costs. In many member states, waste-water treatment plant operators already provide very extensive reporting – for the most part even web-based. In the future, too, the focus must be on meeting the citizens' demand for information on sustainability, quality and safety of waste-water disposal. The additional information provided should represent a clear added value for consumers. The principle of proportionality should always be observed. What is important for consumers are the conditions that are of direct relevance to them locally, rather than their comparability in a (European) context. This also applies to the level of costs, which is strongly influenced by the respective local structural factors. In SGI Europe's view, the provision of data with a concrete reference to environmental protection, such as data on the size of the treatment plant, the annual discharge average or elimination rates of the monitoring parameters (COD, N, NH₄-N and P), the energy input of a waste-water treatment plant, and prospectively also on phosphorus recovery, are appropriate and could represent added value for the consumer.

Since the published data should be validated, annual publication would be advisable in order to avoid a disproportionately burden for companies.

SGI Europe also warns about the possible administrative extra burden and costs that could come with requirements for frequent publication of information.

Waste-Water Surveillance

Waste-Water Surveillance		
Option 1	Option 2	Option 3
Commission to provide guidance for surveillance system for viruses and other pathogens present in waste waters	Treatment plants > 100.000 p.e. must have a permanent surveillance system for viruses and pathogens	Treatment plants > 50.000 p.e. must have a permanent surveillance system for viruses and pathogens

Based on the Commission Recommendation on a common approach to establish a systematic surveillance of SARS-CoV-2 and its variants in waste-water in the EU (2021/472/EU), and with the financial support of the Emergency Support Instrument, pilot projects have been launched to monitor the occurrence of the virus in several European Member States. SGI Europe supports the realisation of such projects, many of which have provided helpful insights. Nevertheless, it must be emphasised that monitoring the virus in waste-water cannot replace clinical testing and it is not possible to trace back infections or identify vaccination breakthrough infections. Further pilot projects are needed to draw meaningful conclusions about a possible pandemic development. Continuous waste-water monitoring with regard to pathogens (viruses, pathogenic germs, etc.) would in principle represent a completely new task for municipal waste-water disposal. The high time, cost, and personnel expenditures associated with this cannot be financed through waste-water charges or prices. Rather, an appropriate financing model is needed. SGI therefore supports policy **Option 1** as it takes into account the principle of proportionality and subsidiarity.

Reduce nutrient pollution in sensitive areas – addressing eutrophication

Reduce Nutrient Pollution in Sensitive Areas – Addressing Eutrophication		
Option 1	Option 2	Option 3
Commission to provide guidance on designation of sensitive areas Member State to decide if nutrient removal by treatment is needed in a particular plant	Commission to set higher nitrogen and phosphorus removal thresholds in the Directive Member State to increase efficiency of nutrient removal in treatment plants	All treatment plants > 10.000 p.e. must remove nitrogen and phosphorus from waste water

SGI Europe supports the effort to harmonise removal thresholds for phosphorous and nitrogen in a European level according to **Option 2**. However, certain flexibility is necessary in cases were, on the basis of a risk-based approach, the cost of higher thresholds would outweigh the benefits.

Monitoring and reporting Obligations

Monitoring and Reporting		
Option 1	Option 2	Option 3
Commission to provide guidance on methodology, sampling conditions and frequency Member States to ensure that key information is available at national level	Member States must set up/ host UWWTD data sets and ensure access to them for the Commission/EEA Member States must update the data sets annually Key information from data sets to be published annually on EEA website	Commission to: • improve current reporting system and update parameters (e.g. micropollutants, COD) • improve requirements on sampling conditions, methodology, frequency Member States must report to the Commission annually (increased frequency)

SGI Europe agrees that information should be made available and accessible on an annual basis.

SGI Europe believes that monitoring is essential for the continuous improvement and proper operation of WWTP's. SGI Europe encourages the Commission to publish a guidance document on monitoring and reporting obligations, particularly regarding Substances of Very High Concerns (SVHC) in connection to the revision of the Environmental Quality Standards (EQS) Directive, as this is relevant information for better protecting Drinking Water Resources.