



24.7.2019

## NOTICE TO MEMBERS

**Subject: Petition No 0124/2019 by R. L. P. (Spanish), on behalf of the ‘No to the Enlargement of the Praceres Purification Plant’, regarding breach of European directives in connection with the new Pontevedra estuary clean-up projects (Galicia, Spain)**

### 1. Summary of petition

The petitioner alleges that, in 2016, the EU Court of Justice confirmed the repeated infringement of wastewater treatment provisions in the Pontevedra estuary, following a complaint by the European Commission against Spain prompted by the public health risk arising from inadequate treatment of urban waste water. She objects to the new project, indicating that it would simply relocate the point of discharge into the estuary without actually resolving the problem. She also denounces the fact that the project involving the expansion of the current treatment plant is not being made public and regards this as a breach of Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information.

### 2. Admissibility

Declared admissible on 8 May 2019. Information requested from Commission under Rule 227(6).

### 3. Commission reply, received on 24 July 2019

#### The Commission’s observations

The projects to build a new underwater outfall and to enlarge and improve the capacity and treatment provided by the existing treatment plant of Placeres are just part of a broader set of works aimed at optimizing the collection and treatment of wastewater and rainwater in the

Pontevedra estuary<sup>1</sup>.

The project to improve the urban wastewater treatment of the existing plant was submitted to public information by Resolution of 2 November 2018<sup>2</sup> and has been tendered on 26 March 2019<sup>3</sup>.

The Commission recalls that Directive 2003/4/EC<sup>4</sup> provides for access to a review procedure before a court of law or another independent and impartial body established by law to challenge the acts or omissions of the public authority on access to environmental information.

### Conclusion

In light of the above, the Commission has no basis to provide further follow-up to this petition.

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<sup>1</sup> Mejoras de saneamiento y depuración en el Sistema de Pontevedra. Plan Hidrológico Galicia Costa (Código Medida ES014.02.0218.00) [https://augasdegalicia.xunta.gal/c/document\\_library/get\\_file?file\\_path=/portal-augas-de-galicia/plans/PHGC-2015-2021/Cap12\\_PGHC20152021\\_es.pdf](https://augasdegalicia.xunta.gal/c/document_library/get_file?file_path=/portal-augas-de-galicia/plans/PHGC-2015-2021/Cap12_PGHC20152021_es.pdf).

<sup>2</sup> Resolución de 2 de noviembre de 2018 por la que se somete a información pública el anteproyecto de la obra de mejora del proceso de depuración de la estación depuradora de aguas residuales (EDAR) de Os Praceres (Pontevedra). DOG Núm. 217. 14 de noviembre de 2018, [https://www.xunta.gal/dog/Publicados/2018/20181114/AnuncioO143-081118-0006\\_es.html](https://www.xunta.gal/dog/Publicados/2018/20181114/AnuncioO143-081118-0006_es.html)

<sup>3</sup> Elaboración del proyecto y ejecución de la obra de mejora del proceso de depuración de la estación depuradora de aguas residuales de Praceres, Pontevedra <https://ted.europa.eu/udl?uri=TED:NOTICE:137906-2019:TEXT:ES:HTML>

<sup>4</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC, *OJ L 41, 14.2.2003, p. 26–32*.