



22.1.2010

## NOTICE TO MEMBERS

Subject: Petition 0953/2009 by Luis Gómez Romero (Spanish), on behalf of Asociación de Vecinos Alcalá, on open sewage effluents scheduled to last for 18 months

### **1. Summary of petition**

On account of a dispute between government of Andalusia and the town hall of Almeria concerning waste water treatment, the inhabitants of a part of the city of Almeria are being exposed to open sewage effluents. Representatives of the government of Andalusia say that works to remedy the situation will last another 18 months. Meanwhile the city of Almeria is refusing to divert the sewage to the municipal treatment plant. More than 7000 inhabitants are being exposed to odours and mosquitoes as a result. They are asking the European Parliament to help mediate in this dispute.

### **2. Admissibility**

Declared admissible on 30 October 2009. Information requested from Commission under Rule 202(6).

### **3. Commission reply, received on 22 January 2010.**

The petition reports that an agreement ("convenio") between the Almeria Municipality and the Andalusia Regional Government to build an urban waste water collecting system and a treatment plant has been broken. As a consequence, urban waste water from the towns upstream of Almeria is discharged untreated into the Rio Andarax, and this leads to nuisances in the petitioner's neighbourhood.

The petitioner has been informed by the Andalusian Water Agency that the ongoing works

will not be completed for another 18 months and that a temporary solution could be that the municipality of Almeria conducts the waters through its pipes.

The Urban Waste Water Treatment Directive<sup>1</sup> sets out an obligation for waste water collection and waste water treatment in settlement areas ('agglomerations') of more than 2 000 inhabitants (or the equivalent in wastewater pollution, so-called 'population equivalents', p.e.). The deadline for implementation of the directive for agglomerations of more than 15 000 p.e. was 31/12/2000 whereas the deadline for agglomerations between 2 000 and 15 000 p.e. was 31/12/2005. For smaller agglomerations, it sets out the obligation to apply appropriate treatment to urban waste water when it is collected.

In June 2009, the Spanish authorities informed the Commission that the agglomeration of Almeria (with a size of 256 000 p.e.) was compliant with the requirements of the directive.

The facts described by the petitioner do not enable the Commission to assess any potential breach of the directive. Indeed, the names and sizes of the towns concerned, upstream of Almeria, are not provided. In addition, the nature of the agreement ("convenio") is not described; in particular, it is unclear to the Commission why the breach of this agreement results in the discharge of untreated urban waste water. The nature and scope of the described, ongoing works, their link to the existing waste water infrastructure, as well as their relation to the agreement and the towns upstream, remain unclear.

The Commission cannot draw any conclusions on the situation described by the petitioner until more clarification is provided (names and size of towns upstream of Almeria which according to the petitioner are the source of the problem).

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<sup>1</sup> Directive 91/271/EEC, OJ L135 of 30.5.1991