



16.12.2011

## NOTICE TO MEMBERS

**Subject: Petition 0093/2011 by Claude Coste (French), on behalf of Association contre les inondations, défense de l'eau et de l'environnement, on treatment of rainwater effluents to protect surface waters in France**

### 1. Summary of petition

The petitioner has had his request to legislate for compulsory treatment of rainwater effluents refused by the French Ministry for the Environment. He relates his observation over 50 years of increasing pollution of the Mediterranean Sea by plastics, transported principally by rainwater effluents from upstream communities. He wants to make compulsory the construction of retention basins in order to filter these waters before they arrive at the sea.

### 2. Admissibility

Declared admissible on 3 May 2011. Information requested from Commission under Rule 202(6).

### 3. Commission reply, received on 16 December 2011

The Commission would like to indicate that the protection of the aquatic environment in coastal and marine areas is already covered by EU legislative instruments, namely the Water Framework Directive<sup>1</sup> and the Marine Strategy Framework Directive<sup>2</sup>. Member States are obliged to take appropriate measures to ensure that concerned marine waters reached good status by the deadlines laid down by the directives.

<sup>1</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy OJ L 327, 22.12.2000

<sup>2</sup> Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive), OJ L 164, 25.6.2008

Other directives contain, in addition, particular provisions regarding the concerns mentioned by the petitioner: the arrival to the coast of municipal waste following heavy rainfall events.

Under the Floods Directive<sup>1</sup>, for instance, measures should be taken by Member States to assess and manage the risk to avoid that flood events entail environmental harms downstream.

Concerning waste water, the Urban Waste Water Treatment Directive<sup>2</sup> requires Member States to ensure that waste water collecting systems are designed, constructed and maintained to, inter alia, limit the pollution of receiving waters due to storm water overflows. In case of unusually heavy rainfall, Member States shall decide on particular measures to limit such pollution (Annex I, A and B).

According to the Directive on the Landfill of Waste<sup>3</sup>, the location of a landfill must take into consideration requirements relating to, inter alia, the existence of coastal waters in the area as well as the risk of flooding. A landfill can be authorized only if the characteristics of the site indicate that the landfill does not pose a serious environmental risk (Annex I, point 1).

## Conclusion

The Commission is of the opinion that the problems highlighted by the petitioner are better tackled by a proper implementation of currently existing EU policies and measures. The Commission does not intend to propose additional instruments to cover the environmental impact of storm water overflows.

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<sup>1</sup> Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks, OJ L 288, 6.11.2007

<sup>2</sup> Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment, OJ L 135, 30.5.1991

<sup>3</sup> Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste, OJ L 182, 16.07.1999