



Plenary sitting

A9-0276/2023

26.9.2023

*****I**
REPORT

on the proposal for a directive of the European Parliament and of the Council
concerning urban wastewater treatment (recast)
(COM(2022)0541 – C9-6363/2022 – 2022/0345(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Nils Torvalds

(Recast – Rule 110 of the Rules of Procedure)

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ***■*** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a directive of the European Parliament and of the Council
concerning urban wastewater treatment (recast)
(COM(2022)541 – C9-6363/2022 – 2022/0345(COD))**

(Ordinary legislative procedure – recast)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2022)541),
 - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-6363/2022),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Belgian Chamber of Representatives and the Austrian Federal Council, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 22 February 2023¹,
 - having regard to the opinion of the Committee of the Regions of 6 July 2023²,
 - having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts³,
 - having regard to the letter of 14 September 2023 sent by the Committee on Legal Affairs to the Committee on the Environment, Public Health and Food Safety in accordance with Rule 110(3) of its Rules of Procedure,
 - having regard to Rules 110 and 59 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Agriculture and Rural Development,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0276/2023),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the Commission proposal does

¹ OJ C ... / Not yet published in the Official Journal.

² OJ C ... / Not yet published in the Official Journal.

³ OJ C 77, 28.3.2002, p. 1.

not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;

1. Adopts its position at first reading hereinafter set out, taking into account the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a directive Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Water is a public good which belongs to everyone and is for everyone and which, as a natural resource that is essential, irreplaceable and indispensable to life, needs to be considered and integrated in its three dimensions: social, economic and environmental.

Amendment 2

Proposal for a directive Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) The European Parliament resolutions of 5 October 2022 on access to water as a human right – the external dimension, and of 8 September 2015 on the follow-up to the European Citizens’ Initiative ‘Right2Water’ state that water should be treated as a common good.

Amendment 3

Proposal for a directive Recital 2

Text proposed by the Commission

Amendment

(2) Directive 91/271/EEC sets the legal framework for the collection, treatment and discharge of urban wastewater and the discharge of biodegradable wastewaters from certain industrial sectors. ***Its*** objective is to protect the environment from being

(2) Directive 91/271/EEC sets the legal framework for the collection, treatment and discharge of urban wastewater and the discharge of biodegradable wastewaters from certain industrial sectors. ***The*** objective ***of this framework*** is to protect

adversely affected by insufficiently treated urban wastewater discharges. This Directive should continue to pursue the same objective, whilst also contributing to the protection of public health, when for instance urban wastewater is discharged in bathing waters or in water bodies used for the abstraction of drinking water, or when urban wastewater is used as an indicator for parameters relevant for public health. It should also **improve** access to sanitation and to key information related to the governance of the urban wastewater collection and treatment activities. **Finally**, this Directive should contribute to the progressive **elimination** of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, notably by further reducing nitrogen emissions but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council³⁷.

the environment, **including the biodiversity of land-based, marine and coastal ecosystems** from being adversely affected by insufficiently treated urban wastewater discharges **in order to achieve the objectives established under Directive 2000/60/EC and other relevant legislation**. This Directive should, **in view of the green transition objectives set by the Green Deal**, continue to pursue the same objective, whilst also contributing to the protection of public health, when for instance urban wastewater is discharged in bathing waters or in water bodies used for the abstraction of drinking water, or when urban wastewater is used as an indicator for parameters relevant for public health. It should also **ensure** access to sanitation and to key information related to the governance of the urban wastewater collection and treatment activities. This Directive should **also** contribute to the progressive **reduction** of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, notably by further reducing nitrogen emissions but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council³⁷. **Finally, it should encourage the use of nature-based solutions such as constructed wetland as a tool for the treatment and discharge of urban wastewater.**

³⁷ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

³⁷ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

Amendment 4

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) Small agglomerations constitute a significant pressure on 11 % of the surface water bodies in the Union³⁹. To better tackle the pollution from such agglomerations, and to prevent discharges of untreated urban wastewater into the environment, the scope of this Directive should include **all** agglomerations of **1 000** population equivalent (p.e.) and above.

³⁹ EEA report, European waters: Assessment of status and pressures 2018, No 7/2018.

Amendment

(4) Small agglomerations constitute a significant pressure on 11 % of the surface water bodies in the Union³⁹. To better tackle the pollution from such agglomerations, and to prevent discharges of untreated urban wastewater into the environment, the scope of this Directive should include agglomerations of **750** population equivalent (p.e.) and above.

³⁹ EEA report, European waters: Assessment of status and pressures 2018, No 7/2018.

Amendment 5

Proposal for a directive

Recital 5

Text proposed by the Commission

(5) In order to ensure effective treatment of urban wastewater before discharge into the environment, all urban wastewaters from agglomerations of **1 000** p.e. and above should be collected in centralised collecting systems. Where such systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.

Amendment

(5) In order to ensure effective treatment of urban wastewater before discharge into the environment, all urban wastewaters from agglomerations of **750** p.e. and above should be collected in centralised collecting systems. Where such systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them. ***Where such systems are not connected to one other, Member States should encourage and support small municipalities to join together to manage wastewaters collectively, with this joint management also making a reduction in costs possible.***

Amendment 6

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Exceptionally, where it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit or involve excessive costs, Member States should be allowed to use individual systems to treat urban wastewater, as long as they ensure the same level of **treatment** as secondary and tertiary treatment. For this purpose, Member States should establish national registers to identify individual systems used on their territory and take all necessary measures to ensure that the design of such systems is adequate, that the systems are properly maintained and that they are subject to a regular compliance control. In particular, Member States should ensure that individual systems used for the collection and storage of urban wastewater are impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals.

Amendment

(6) Exceptionally, where it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit or involve excessive costs, Member States should be allowed to use individual systems to treat urban wastewater, as long as they ensure the same level of **environmental protection** as secondary and tertiary treatment. For this purpose, Member States should establish national **and, where appropriate, regional** registers to identify individual systems used on their territory and take all necessary measures to ensure that the design of such systems is adequate, that the systems are properly maintained and that they are subject to a regular compliance control. In particular, Member States should ensure that individual systems used for the collection and storage of urban wastewater are impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. ***In order to allow for a harmonised regulation of individual systems among Member States, the Commission should provide guidance on the requirements mentioned above on the design, operation and maintenance of such individual systems.***

Amendment 7

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of pollution

Amendment

(7) During rainfall, storm water overflows and urban runoff **discharges** represent a sizeable remaining source of

discharged into the environment. Those emissions are expected to increase due to the combined effects of urbanisation and progressive change of the rain regime linked with climate change. Solutions to reduce that source of pollution should be defined at local level taking into account the specific local conditions. They should be based on an integrated quantitative and qualitative water management in urban areas. Therefore, Member States should ensure that integrated urban wastewater management plans are established at local level for all agglomerations of 100 000 p.e. and above as those agglomerations are responsible for a significant share of the pollution emitted. Furthermore, integrated urban wastewater management plans should also be put in place for agglomeration of between 10 000 p.e. and 100 000 p.e. where storm water overflows or urban runoff poses a risk for the environment or public health.

pollution discharged into the environment. Those emissions are expected to increase due to the combined effects of urbanisation, and progressive change of the rain regime linked with *climate change*. ***Climate change will indeed increase the likelihood of storm water overflows and urban runoff. Urban wastewater management infrastructures are therefore particularly vulnerable to climate change.*** Solutions to reduce that source of pollution should be defined at local ***and regional*** level taking into account the specific local conditions, ***including climatic ones and the vulnerability of those infrastructures. It would also be beneficial to have local and regional action plans covering multiple localities when they are all liable to be impacted by the same watercourses in circumstances of abundant precipitation and, implicitly, by urban runoff.*** They should be based on an integrated quantitative and qualitative water management in urban areas. ***In addition, control at source including through nature-based solutions should be mainstreamed as a first step to avoid pollution in urban runoff, as well as co-ordination of measures to control the quantity of urban runoff at source.*** Therefore, Member States should ensure that integrated urban wastewater management plans, ***including a stress test assessment of the vulnerability of collecting systems and urban wastewater treatment plants based on climate change scenarios,*** are established at local ***and, where appropriate, regional*** level for all agglomerations of 100 000 p.e. and above as those agglomerations are responsible for a significant share of the pollution emitted. Furthermore, integrated urban wastewater management plans should also be put in place for agglomeration of between 10 000 p.e. and 100 000 p.e. where storm water overflows or urban runoff poses a risk for the environment or public health. ***The proposed goal of a reduction of storm water overflow to approximately 1% of the annual collected urban wastewater load***

calculated in dry weather flow conditions and measured at the treatment plant inlet refers in particular to the nitrogen content. Due to technical conditions, Member States may, following the rules set out in Annex 5, set alternative targets for other parameters, such as chemical oxygen demand, which could initially differ by the percentage, depending on the parameter, but can be modelled to the same parameters as the established goal.

Amendment 8

Proposal for a directive Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) When establishing their integrated urban wastewater management plans, Member States should take into account the cumulative effects of demographic changes, meteorological phenomena and the expected sea level rise, especially in coastal areas and littoral regions. Those cumulative effects, which cause overflows in wastewater treatment plants, have a negative impact on the environment and on health by increasing pollution. Wastewater management in such areas should be appropriately addressed, including regular monitoring of wastewater system maintenance.

Amendment 9

Proposal for a directive Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) Better management of water quality and quantities in urban areas will contribute to climate adaptation. In order to reduce the negative effects of storm

water overflows, Member States should aim at increasing green and blue spaces in urban areas by taking into account the Urban Greening platform which provides guidance and knowledge to support towns and cities. Member States should aim as well to develop new infrastructures, giving priority to green and blue infrastructure such as green urban spaces, green roofs, vegetated ditches, treatment wetlands and storage ponds designed to support biodiversity. Preventive measures aimed at avoiding the entry of unpolluted rain waters into collecting systems, and measures increasing green and blue spaces should include measures promoting natural water retention or rainwater harvesting. Other actions could include increasing the number of parks, trees and woodland patches with native species, green roofs, wildflower grasslands, gardens, tree-lined streets, urban meadows and hedges, ponds and watercourses limiting impermeable surfaces in agglomerations and the amount of city horticulture, which can not only create a good habitat for pollinators, birds and other species, but also directly help to control and reduce rainwater and related pollution, while improving the overall quality of life in such cities. Where relevant, water reuse should be considered in the context of the development of the integrated urban wastewater management plans.

Amendment 10

Proposal for a directive Recital 8

Text proposed by the Commission

(8) In order to ensure that the integrated urban wastewater management plans are cost-effective, it is important that they are based on best practices in advanced urban areas. Therefore, the

Amendment

(8) In order to ensure that the integrated urban wastewater management plans are cost-effective, it is important that they are based on best practices in advanced urban areas, ***taking also into***

measures to be considered should be based on a thorough analysis of the local conditions and should favour a preventive approach aiming at limiting the collection of unpolluted rain waters and optimising the use of existing infrastructures. With a preference for ‘green’ developments, new grey infrastructures should only be envisaged where absolutely necessary. In order to protect the environment, in particular the coastal and marine environment, and public health from being adversely affected by the discharge of insufficiently treated urban wastewater, secondary treatment should be applied to all discharges of urban wastewater from agglomerations of **1 000** p.e. and above.

account the availability of digital tools and the constant change in the chemical composition of wastewaters resulting from the appearance of new products on the market, which necessitates appropriate measures for the identification and elimination of such products from the wastewaters. Therefore, the measures to be considered should be based on a thorough analysis of the local conditions and should favour a preventive approach aiming at limiting the collection of unpolluted rain waters and optimising the use of existing infrastructures ***to generate energy savings and contribute to emission reduction.*** With a preference for ‘green’ ***and ‘blue’*** developments ***and investments***, new grey infrastructures should only be envisaged where absolutely necessary. In order to protect the environment, in particular the coastal and marine environment, and public health, ***including the protection of surface, ground and drinking water,*** from being adversely affected by the discharge of insufficiently treated urban wastewater, secondary treatment should be applied to all discharges of urban wastewater from agglomerations of **750** p.e. and above.

Amendment 11

Proposal for a directive Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) It is of great importance that the Commission take the enormous difficulties and challenges for wastewater treatment into account, such as in the revision of Regulation (EC) No 1907/2006 on the Registration, Evaluation and Authorisation of Chemicals (the ‘REACH Regulation’) regarding the phase out of per- and polyfluoroalkyl substances (PFAS). In its communication of 14 October 2020 entitled ‘Chemical Strategy for Sustainability Towards a Toxic-Free

Environment', the Commission pointed out that PFAS require special attention, considering the large number of cases of contamination of soil and water - including drinking water - in the Union and globally, the number of people affected with a full spectrum of illnesses and the related societal and economic costs, and it set the objective of phasing out PFAS in the Union, unless they are proven essential for society.

Amendment 12

Proposal for a directive Recital 10

Text proposed by the Commission

(10) Tertiary treatment should also be mandatory in agglomerations of 10 000 p.e. and above that are discharging in areas subject to, or at risk of, eutrophication. In order to ensure that efforts to limit eutrophication are coordinated at the level of the relevant basins for the whole catchment zone, areas where eutrophication is considered an issue according to currently available data should be listed in this Directive. Additionally, to ensure coherence between relevant Union legislation, Member States should identify other areas subject to, or at risk of, eutrophication on their territory, notably on the basis of data collected under Directive 2000/60/EC of the European Parliament and of the Council⁴⁰, Directive 2008/56/EC of the European Parliament and of the Council⁴¹ and Council Directive 91/676/EEC⁴². The reinforcement of the limit values, a more coherent and inclusive identification of the areas sensitive to eutrophication and the obligation to ensure tertiary treatment for all large facilities will, in combination, contribute to limit eutrophication. Since this will require additional investments on the national level, Member States should be given

Amendment

(10) Tertiary treatment should also be mandatory in agglomerations of 10 000 p.e. and above that are discharging in areas subject to, or at risk of, eutrophication. In order to ensure that efforts to limit eutrophication are coordinated at the level of the relevant basins for the whole catchment zone, areas where eutrophication is considered an issue according to currently available data should be listed in this Directive. Additionally, to ensure coherence between relevant Union legislation, Member States should identify other areas subject to, or at risk of, eutrophication on their territory, **and identify whether the areas are nitrogen- or phosphorus- sensitive** notably on the basis of data collected under Directive 2000/60/EC of the European Parliament and of the Council⁴⁰, Directive 2008/56/EC of the European Parliament and of the Council⁴¹ and Council Directive 91/676/EEC⁴². The reinforcement of the limit values, a more coherent and inclusive identification of the areas sensitive to eutrophication and the obligation to ensure tertiary treatment for all large facilities will, in combination, contribute to limit eutrophication. Since this will require

sufficient time to establish the required infrastructure.

additional investments on the national level, Member States should be given sufficient time to establish the required infrastructure.

⁴⁰ 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, p. 1).

⁴¹ 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, p. 19).

⁴² Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

⁴⁰ 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, p. 1).

⁴¹ 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, p. 19).

⁴² Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

Amendment 13

Proposal for a directive Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The development of the potential of the urban wastewater sector towards a circular economy of nutrients, and the promotion of the implementation of water reuse, in line with the new Circular Economy Action Plan^{1a}, would entail that reclaimed water which is to be used for agricultural irrigation purposes in compliance with the European Water Reuse Regulation, could apply less restrictive requirements for nutrient removal established in this Directive.

^{1a} Communication from the Commission to the European Parliament, the Council,

Amendment 14

Proposal for a directive Recital 11

Text proposed by the Commission

(11) Recent scientific knowledge underpinning several Commission strategies⁴³ **highlight** the need to take action to address the issue of micro-pollutants, which are now detected in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in small quantities. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micro-pollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micro-pollutants, which represent a significant part of the pollution and for which removal technologies are already designed. The treatment should be imposed based on the precautionary **approach** combined with a risk-based approach. Therefore, all urban wastewater treatment plants of **100 000** p.e. and above should provide quaternary treatment, as those facilities represent a significant share of micro-pollutant discharges in the environment and the removal of micro-pollutants by urban wastewater treatment plants at such scale is cost-effective. For agglomerations of between **10 000** p.e. and **100 000** p.e., Member States should be required to apply quaternary treatment to areas identified as sensitive to pollution with micro-pollutants based on clear criteria, which should be specified. Such areas should include locations where

Amendment

(11) Recent scientific knowledge underpinning several Commission strategies⁴³ **highlights** the need to take action to address the issue of micro-pollutants, which are now detected in all waters in the Union **and which are being generated by the appearance on the market of new domestic or industrial products which necessitate new methods of identification and elimination from wastewaters**. Some of those micropollutants are hazardous for public health and the environment even in small quantities. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micro-pollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micro-pollutants, which represent a significant part of the pollution and for which removal technologies are already designed. The treatment should be **consistent with Directive 2000/60/EC of the European Parliament and of the Council (the ‘Water framework Directive’)** and be imposed based on the precautionary **principle** combined with a risk-based approach. Therefore, all urban wastewater treatment plants of **150 000** p.e. and above should provide quaternary treatment, as those facilities represent a significant share of micro-pollutant discharges in the environment and the removal of micro-pollutants by urban

treated urban wastewater discharge to water bodies result in low dilution ratios, or where the receiving water bodies are used for the production of drinking water or as bathing waters. In order to avoid the requirement of quaternary treatment for agglomerations of between **10 000** p.e. and **100 000** p.e., Member States should be required to demonstrate the absence of risks to the environment or to public health on the basis of a standardised risk assessment. In order to give Member States enough time to plan and deliver the necessary infrastructures, the requirement of quaternary treatment should progressively apply until **2040** with clear interim objectives.

wastewater treatment plants at such scale is cost-effective. For agglomerations of between **35 000** p.e. and **150 000** p.e., Member States should be required to apply quaternary treatment to areas identified as sensitive to pollution with micro-pollutants based on clear criteria, which should be specified. ***Those criteria should particularly reflect the risks associated with micro-plastics and PFAS.*** Such areas should include locations where treated urban wastewater discharge to water bodies result in low dilution ratios, or where the receiving water bodies are used for the production of drinking water or as bathing waters. In order to avoid the requirement of quaternary treatment for agglomerations of between **35 000** p.e. and **150 000** p.e., Member States should be required to demonstrate the absence of risks to the environment or to public health on the basis of a standardised risk assessment. In order to give Member States enough time to plan and deliver the necessary infrastructures, the requirement of quaternary treatment should progressively apply until ***[please insert the date fifteen years after the date of entry into force of this Directive]*** with clear interim objectives.

⁴³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Strategy for Plastics in a Circular Economy (COM/2018/028 final); Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee, European Union Strategic Approach to Pharmaceuticals in the Environment (COM(2019) 128 final); Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Chemicals Strategy for Sustainability Towards a Toxic-Free Environment

⁴³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Strategy for Plastics in a Circular Economy (COM/2018/028 final); Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee, European Union Strategic Approach to Pharmaceuticals in the Environment (COM(2019) 128 final); Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Chemicals Strategy for Sustainability Towards a Toxic-Free Environment

(COM(2020) 667 final); Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' (COM/2021/400 final).

(COM(2020) 667 final); Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' (COM/2021/400 final).

Amendment 15

Proposal for a directive Recital 13

Text proposed by the Commission

(13) The quaternary treatment necessary to remove micro-pollutants from urban wastewater will imply additional costs, such as costs related to monitoring and new advanced equipment to be installed in certain urban wastewater treatment plants. In order to cover these additional costs and in accordance with the polluter-pays principle expressed in Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), it is essential that the producers placing on the Union market products containing substances which, at the end of their life, are found as micro-pollutants in urban wastewaters ('micro-pollutant substances') take responsibility for the additional treatment required to remove those substances, generated in the context of their professional activities. A system of extended producer responsibility is the most appropriate means to achieve this, as it would limit the financial impact on the taxpayer and water tariff, while providing an incentive to develop greener products. Pharmaceuticals and cosmetic residues currently represent the main sources of micro-pollutants found in urban wastewater requiring an additional treatment (quaternary treatment). Therefore, extended producer responsibility should apply to those two

Amendment

(13) The quaternary treatment necessary to remove micro-pollutants from urban wastewater will imply additional costs, such as costs related to monitoring and new advanced equipment to be installed in certain urban wastewater treatment plants. In order to cover these additional costs and in accordance with the polluter-pays principle expressed in Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), it is essential that the producers placing on the Union market products containing substances which, at the end of their life, are found as micro-pollutants in urban wastewaters ('micro-pollutant substances') take responsibility for the additional treatment required to remove those substances, generated in the context of their professional activities. A system of extended producer responsibility is the most appropriate means to achieve this, as it would limit the financial impact on the taxpayer and water tariff, while providing an incentive to develop greener products. ***To limit unintended consequences on the availability, affordability and accessibility of vital products, the producer responsibility should be complemented by national funding, due to the high societal value of the sectors covered by the extended producer responsibility. Extended***

product groups.

producer responsibility schemes should be implemented in line with the deadline provided in the transposition provisions of this Directive. Pursuant to Article 191 TFEU, Union policy on the environment is to aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It is to be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay. The polluter pays principle refers to a principle according to which polluters should bear the costs of their pollution or environmental damage, including the cost of measures taken to prevent, control and remedy the pollution. The extended producer responsibility scheme provided for in this Directive is based upon the polluter pays principle and is aimed at the full implementation combined with a national contribution due to the need for further examination to ensure complete responsibility for all the pollution caused and full funding not to undermine the availability and accessibility of vital products.

Pharmaceuticals and cosmetic residues currently represent the main sources of micro-pollutants found in urban wastewater requiring an additional treatment (quaternary treatment).

Therefore, extended producer responsibility should apply to those two product groups. *Due to national variations, Member States should be given flexibility enough to designate which products are classified as vital products, which could be, for example, medicines with a high impact on life quality, hygienic products or sun protection products. The list of product groups should be adapted, if and as necessary, in the future in line with scientific and technological development, the evolution of the range of products placed on the market and new data from*

monitoring.

Amendment 16

Proposal for a directive Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Micro- and nanoplastic pollution is often caused by dyeing and washing processes of synthetic textiles as synthetic microfibres are released into wastewater. This is particularly the case for plastic microfibres or nanoplastics, fragments of macroplastics, macrowaste or particles from other forms of plastic degradation, the presence of which in the environment and the ocean has been underestimated for a long time. Most micro-plastics from textiles are released during the first five to ten washes, which only solidifies the link between fast fashion and micro-plastic pollution. The Commission should submit a legislative proposal, accompanied by an impact assessment, in line with its initiative on ‘Microplastics pollution – measures to reduce its impact on the environment’ to oblige the fitting of microfibre filters for new washing machines at EU level by 31 December 2027.

Amendment 17

Proposal for a directive Recital 14

Text proposed by the Commission

Amendment

(14) Exonerations from the extended producer responsibility obligations should nevertheless be possible where products are placed on the market in small quantities, i.e. less than 2 tonnes of products, since the additional

(14) Exonerations from the extended producer responsibility obligations should nevertheless be possible where products are placed on the market in small quantities, i.e. less than 2 tonnes of products ***calculated for the Union market,***

administrative burden for the producer would in such cases be disproportionate compared to the environmental benefits. Exonerations should also be possible when the producer can demonstrate that no micro-pollutants are generated at the end of life of a product. It might be the case for instance where it can be proven that the residues from a product are rapidly biodegradable in the wastewaters and the environment or not reaching the urban wastewater treatment plants. The Commission should be empowered to adopt implementing acts to establish detailed criteria to identify the products placed on the market that do not generate micro-pollutants in wastewaters at the end of their life. When developing these criteria, the Commission should take into account scientific or other available technical information, including relevant international standards.

since the additional administrative burden for the producer would in such cases be disproportionate compared to the environmental benefits. Exonerations should also be possible when the producer can demonstrate ***that the products they place on the market are rapidly biodegradable or*** that no micro-pollutants are generated at the end of life of a product. It might be the case for instance where it can be proven that the residues from a product are rapidly biodegradable in the wastewaters and the environment or not reaching the urban wastewater treatment plants. The Commission should be empowered to adopt implementing acts to establish detailed criteria to identify the products placed on the market that do not generate micro-pollutants in wastewaters at the end of their life. When developing these criteria, the Commission should take into account scientific or other available technical information, including relevant international standards.

Amendment 18

Proposal for a directive Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) When ensuring that producers have extended producer responsibility, Member States should be able to add other sectors, such as pesticides, household products and plastic additives, based on the evidence of the presence of micro-pollutants in the water after passing through tertiary treatment, in the sludge or permanently in the system in order to reflect national specificities.

Amendment 19

Proposal for a directive

Recital 15

Text proposed by the Commission

(15) In order to avoid possible internal market distortions, minimum requirements for the implementation of the extended producer responsibility should be established in this Directive, while the practical organisation of the system should be decided at national level. The contributions of the producers should be proportionate to the quantities of the products they place on the market and the ***hazardousness*** of their residues. The contributions should cover, ***but not exceed***, the costs for the monitoring activities for micro-pollutants, the collection, reporting and impartial verification of statistics on the quantities and ***hazardousness*** of products placed on the market, and the application of the quaternary treatment to urban wastewater in an efficient manner and in accordance with this Directive. Since urban wastewater is treated collectively, it is appropriate to introduce a requirement for producers to join a centralised organisation which can implement their obligations under the extended producer responsibility on their behalf.

Amendment

(15) In order to avoid possible internal market distortions, minimum requirements for the implementation of the extended producer responsibility should be established in this Directive, while the practical organisation of the system should be decided at national level. The ***Commission should provide guidance on the extended producer responsibility schemes to allow for harmonised implementation among Member States.*** The contributions of the producers should be proportionate to the quantities of the products they place on the market and the ***hazardousness*** of their residues. The contributions should, ***together with national financing***, cover the costs for the monitoring activities for micro-pollutants, the collection, ***analysis***, reporting and impartial verification of statistics on the quantities and ***hazardousness*** of products placed on the market, ***the costs of providing adequate information to consumers*** and the application ***and operation*** of the quaternary treatment to urban wastewater in an efficient manner and in accordance with this Directive. Since urban wastewater is treated collectively, it is appropriate to introduce a requirement for producers to join a centralised organisation which can implement their obligations under the extended producer responsibility on their behalf.

Amendment 20

Proposal for a directive

Recital 16

Text proposed by the Commission

(16) The evaluation has also shown that the wastewater treatment sector offers the

Amendment

(16) The evaluation has also shown that the wastewater treatment sector offers the

opportunity to significantly reduce its own energy consumption and to produce renewable energy, for example by better use of the available surfaces in urban wastewater treatment plants for solar energy production or by producing biogas from sludge. The evaluation also illustrated that, without clear legal obligations, only partial progress can be expected in this sector. In this context, Member States should be required to ensure that the total annual energy used by all urban wastewater treatment plants on their national territory treating a load of 10 000 p.e. and above does not exceed the production of energy from renewable sources as defined in Article 2(1) of Directive (EU) 2018/2001 of the European Parliament and of the Council⁴⁴, by those urban wastewater treatment plants. That objective should be progressively met with interim targets by 31 December 2040. Reaching this energy neutrality target will contribute to reduce the avoidable greenhouse gas (GHG) emissions from the sector by 46 %, while supporting the achievement of the 2050 climate neutrality objectives and related national and Union objectives, [such as the objectives set out in Regulation (EU) 2018/842 of the European Parliament and of the Council⁴⁵. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle⁴⁶, which means taking utmost account of cost-efficient energy efficiency measures in shaping energy policy and making relevant investment decisions, will also help reduce the Union energy dependence, one of the objectives expressed in the Commission "Repower EU" Plan⁴⁷. It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council⁴⁸ and with Directive (EU) 2018/2001 in which urban wastewater treatment sites are qualified as 'go-to' areas for renewables, meaning a location designated as particularly suitable for the installation of plants for the production of energy from

opportunity to significantly reduce its own energy consumption and to produce renewable energy, for example by better use of the available surfaces in urban wastewater treatment plants for solar energy production or by producing biogas from sludge, *as well as by heat or kinetic energy or other renewable energy sources which may become available as a result of future research in line with the Renewable Energy Directive (2009/28/EC)*. The evaluation also illustrated that, without clear legal obligations, only partial progress can be expected in this sector. In this context, Member States should be required to ensure that the total annual energy used by all urban wastewater treatment plants on their national territory treating a load of 10 000 p.e. and above does not exceed the production of energy from renewable sources as defined in Article 2(1) of Directive (EU) 2018/2001 of the European Parliament and of the Council⁴⁴, by those urban wastewater treatment plants *through, for instance, on site or next-to-site generation, or contributions to an external energy production system, such as sending sludge to a centralised biogas production facility*. That objective should be progressively met with interim targets by 31 December 2040. Reaching this energy neutrality target will contribute to reduce the avoidable greenhouse gas (GHG) emissions from the sector by 46 %, while supporting the achievement of the 2050 climate neutrality objectives and related national and Union objectives, [such as the objectives set out in Regulation (EU) 2018/842 of the European Parliament and of the Council⁴⁵. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle⁴⁶, which means taking utmost account of cost-efficient energy efficiency measures in shaping energy policy and making relevant investment decisions, will also help reduce the Union energy dependence, one of the

renewable sources. In order to reach the objective of energy neutrality via optimal measures for each urban wastewater treatment plant and for the collection system, Member States should ensure that energy audits are carried out in accordance with Article 8 of Directive 2012/27/EU of the European Parliament and of the Council⁴⁹ every four years. Those audits should include an identification of the potential for cost-effective use or production of renewable energy following the criteria set out in Annex VI to Directive 2012/27/EU.

objectives expressed in the Commission "Repower EU" Plan⁴⁷. It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council⁴⁸ and with Directive (EU) 2018/2001 in which urban wastewater treatment sites are qualified as 'go-to' areas for renewables, meaning a location designated as particularly suitable for the installation of plants for the production of energy from renewable sources. In order to reach the objective of energy neutrality via optimal measures for each urban wastewater treatment plant and for the collection system, Member States should ensure that energy audits are carried out in accordance with Article 8 of Directive 2012/27/EU of the European Parliament and of the Council⁴⁹ every four years ***accompanied by an action plan laying down a set of measures to be implemented by the plants in order to decrease their energy consumption. Unless the plants have reached their maximal energy efficiency in accordance with this Directive or any stricter national targets, such audits should be accompanied by an action plan laying down a set of measures to be taken by the plants in order to reduce their energy consumption.*** Those audits should *also* include an identification of the potential for ***reduction of energy consumption in accordance with the energy efficiency-first principle, cost-effective recovery and use of waste heat, either onsite or via a district energy system, or cost-effective use or production of renewable energy following the criteria set out in Annex VI to Directive 2012/27/EU, as well as identify potential improvements in order to reduce methane and nitrous oxide emissions.***

⁴⁴ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴⁴ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴⁵ Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

⁴⁶ Commission Recommendation (EU) 2021/1749 of 28 September 2021 on Energy Efficiency First: from principles to practice — Guidelines and examples for its implementation in decision-making in the energy sector and beyond

⁴⁷ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: REPowerEU Plan (COM/2022/230 final).

⁴⁸ Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210).

⁴⁹ Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).

⁴⁵ Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

⁴⁶ Commission Recommendation (EU) 2021/1749 of 28 September 2021 on Energy Efficiency First: from principles to practice — Guidelines and examples for its implementation in decision-making in the energy sector and beyond

⁴⁷ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: REPowerEU Plan (COM/2022/230 final).

⁴⁸ Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210).

⁴⁹ Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).

Amendment 21

Proposal for a directive Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) Wastewater is one of the four main sources of methane emissions, next to agriculture, energy and waste. Therefore,

the Commission should propose by 31 December 2025 and based on an impact assessment, a 2030 Union binding methane emission reduction target covering all relevant emitting sectors. Achievements in methane reductions are 82,5 times more effective, over a 20-year span, than CO2 reductions, and with 12 years compared to more than hundreds of years for CO2, methane is much faster to dissolve from the atmosphere and therefore highly relevant and advantageous to reduce, in accordance with the commitment made under the Global Methane Pledge. Member States should ensure that the wastewater sector achieves the climate neutrality target by 2050 at the latest, as set out in the European Climate Law.

Amendment 22

Proposal for a directive Recital 17

Text proposed by the Commission

(17) Since the transboundary nature of water pollution requires cooperation between neighbouring Member States or third countries in addressing such pollution and identifying measures to tackle its source, Member States should be required to inform each other or the third country if significant water pollution originating from urban wastewater discharges in one Member State or third country impacts or is likely to impact the water quality of another Member State or third country. Such information should be immediate in case of incidental pollution significantly affecting downstream water bodies. The Commission should be informed and, if necessary, participate in meetings at the request of Member States. It is also important to tackle the transboundary pollution from third countries sharing the same water bodies with some of the

Amendment

(17) Since the transboundary nature of water pollution requires cooperation between neighbouring Member States or third countries in addressing such pollution and identifying measures to tackle its source, Member States should be required to inform each other or the third country if significant water pollution originating from urban wastewater discharges in one Member State or third country impacts or is likely to impact the water quality of another Member State or third country. Such information should be immediate in case of incidental pollution significantly affecting downstream water bodies ***by means of timely alarm systems at local, regional and cross-border level in the event of incidental pollution.*** The Commission should be informed and, if necessary, participate in meetings at the

Member States. For the purpose of dealing with pollution coming or arriving in third countries, the cooperation and coordination with third countries may be carried out in the framework of the United Nations Economic Commission for Europe (UNECE) Water Convention⁵⁰ or other relevant regional Conventions such as the Regional Seas or Rivers Conventions.

request of Member States. It is also important to tackle the transboundary pollution from third countries sharing the same water bodies with some of the Member States. For the purpose of dealing **with** pollution coming or arriving in third countries, the cooperation and coordination with third countries may be carried out in the framework of the United Nations Economic Commission for Europe (UNECE) Water Convention⁵⁰ or other relevant regional Conventions such as the Regional Seas or Rivers Conventions.

⁵⁰ UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes as amended, along with decision VI/3 clarifying the accession procedure.

⁵⁰ UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes as amended, along with decision VI/3 clarifying the accession procedure.

Amendment 23

Proposal for a directive Recital 18

Text proposed by the Commission

(18) In order to ensure the protection of the environment and **human** health, Member States should ensure that the urban wastewater treatment plants built to comply with the requirements of this Directive are designed, constructed, operated, and maintained to ensure sufficient performance under all normal local climatic conditions.

Amendment

(18) In order to ensure the protection of the environment and **health in line with the One Health approach**, Member States should ensure that the **collecting system and** urban wastewater treatment plants built to comply with the requirements of this Directive are designed, constructed, operated, and maintained to ensure sufficient performance under all normal local climatic conditions **and should continuously adapt their methods of identifying pollutants in wastewaters in lockstep with the placing on the market of new products which could subsequently be found in wastewaters.**

Amendment 24

Proposal for a directive

Recital 19

Text proposed by the Commission

(19) Urban wastewater treatment plants also receive non-domestic wastewater, including industrial wastewater, which can contain a range of pollutants not explicitly covered by Directive 91/271/EEC, such as heavy metals, micro-plastics, micro-pollutants and other chemicals. In most instances, there is a poor understanding and knowledge of such pollution which could deteriorate the functioning of the treatment process and contribute to the pollution of the receiving waters, but also prevent the recovery of sludge and the re-use of treated wastewater. Member States should therefore regularly monitor and report on such non-domestic pollution that enters the urban wastewater treatment plants and is discharged into water bodies. To prevent pollution from non-domestic wastewater discharges at source, releases from industries or enterprises connected to collecting systems should be subject to prior authorisation. In order to ensure that collecting systems and urban wastewater treatment plants are technically capable of receiving and treating the incoming pollution, the operators who manage urban wastewater treatment plants receiving non-domestic wastewater should be consulted before those permits are issued and should be able to consult the issued permits in order to be able to adapt their treatment processes. Where non-domestic pollution is identified in the incoming waters, Member States should take appropriate measures to reduce pollution at source, by enhancing the monitoring of pollutants in collecting systems so that the pollution sources can be identified and, where necessary, by reviewing the authorisations provided to relevant, connected urban wastewater treatment plants. The water resources of the Union are increasingly under pressure, resulting in permanent or temporary water scarcity in some areas of the Union. The

Amendment

(19) Urban wastewater treatment plants also receive non-domestic wastewater, including industrial wastewater, which can contain a range of pollutants, ***including microfibres and nanoplastics*** not explicitly covered by Directive 91/271/EEC, such as heavy metals, micro-plastics, micro-pollutants and other chemicals. In most instances, there is a poor understanding and knowledge of such pollution which could deteriorate the functioning of the treatment process and contribute to the pollution of the receiving waters, but also prevent the recovery of sludge and the re-use of treated wastewater. Member States should therefore regularly monitor and report on such non-domestic pollution that enters the urban wastewater treatment plants and is discharged into water bodies. To prevent pollution from non-domestic wastewater discharges at source, releases from industries or enterprises connected to collecting systems should be subject to prior authorisation. In order to ensure that collecting systems and urban wastewater treatment plants are technically capable of receiving and treating the incoming pollution, the operators who manage urban wastewater treatment plants receiving non-domestic wastewater should be consulted ***and give their assent*** before those permits are issued and should be able to consult the issued permits in order to be able to adapt their treatment processes. ***In addition, operators of collecting systems and urban wastewater treatment plants receiving non-domestic wastewater should be allowed to monitor those discharges before those discharges enter collecting systems and urban wastewater treatment plants.*** Where non-domestic pollution is identified in the incoming waters, Member States should take appropriate measures to reduce pollution at source, by enhancing

Union's ability to respond to the increasing pressures on water resources could be improved through a wider reuse of treated urban wastewater, limiting freshwater abstraction from surface and groundwater bodies. Therefore, the reuse of treated urban wastewater should be encouraged and applied whenever appropriate, whilst taking into account the need to ensure that the objectives of good ecological and chemical status of the receiving bodies, as defined in Directive 2000/60/EC, are met. The reinforcement of the requirements for the treatment of urban wastewater, and the actions to better monitor, track and reduce pollution at source, will have impacts on the quality of treated urban wastewater, and will therefore support water reuse. Where water reuse serves the purpose of agricultural irrigation, it should be carried out in accordance with Regulation (EU) 2020/741 of the European Parliament and of the Council⁵¹.

the monitoring of pollutants in collecting systems so that the pollution sources can be identified and, where necessary, by reviewing the authorisations provided to relevant, connected urban wastewater treatment plants. The water resources of the Union are increasingly under pressure, resulting in permanent or temporary water scarcity in some areas of the Union. The Union's ability to respond to the increasing pressures on water resources could be improved through a wider reuse of treated urban wastewater, limiting freshwater abstraction from surface and groundwater bodies. Therefore, the reuse of treated urban wastewater should be encouraged and applied whenever appropriate, ***especially in industrial processes and district heating and cooling. Member States should establish national water saving and reuse plans identifying water reuse and water saving objectives across all sectors deemed relevant***, whilst taking into account the need to ensure that the objectives of good ecological and chemical status of the receiving bodies, as defined in Directive 2000/60/EC, are met, ***ensuring minimum ecological flow***. The reinforcement of the requirements for the treatment of urban wastewater, and the actions to better monitor, track and reduce pollution at source, will have impacts on the quality of treated urban wastewater, and will therefore support water reuse. Where water reuse serves the purpose of agricultural irrigation, it should be carried out in accordance with Regulation (EU) 2020/741 of the European Parliament and of the Council⁵¹.

⁵¹ Regulation (EU) 2020/741 of the European Parliament and of the Council of 25 May 2020 on minimum requirements for water reuse (OJ L 177, 5.6.2020, p. 32).

⁵¹ Regulation (EU) 2020/741 of the European Parliament and of the Council of 25 May 2020 on minimum requirements for water reuse (OJ L 177, 5.6.2020, p. 32).

Amendment 25

Proposal for a directive
Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) At the heart of this water-energy nexus is the rapidly growing realisation that climate and water systems are linked, and changes in one system induce important, non-linear changes in the other one. Climate neutrality goals and attention to water resources should therefore be developed in a mutually reinforcing way by achieving a water-smart society. That means a society in which the value of water is recognised and realised, all available water sources are managed so that water scarcity and pollution are avoided; the water system is resilient in relation to the impact of demographic changes, droughts and floods, and all relevant stakeholders are engaged to guarantee sustainable water governance, while water and resource loops are largely closed to foster a circular economy.

Amendment 26

Proposal for a directive
Recital 20

Text proposed by the Commission

Amendment

(20) In order to ensure a proper implementation of this Directive and notably the respect of the emission limit values, it is important to monitor discharges of treated urban wastewater into the environment. The monitoring should be done through the establishment at national level of a mandatory prior authorisation system in order to discharge the treated urban wastewater into the environment. In addition, in order to prevent ***unintentional discharges*** of plastic biomedica the environment from urban wastewater treatment plants ***using this technique***, it is

(20) In order to ensure a proper implementation of this Directive and notably the respect of the emission limit values, it is important to monitor discharges of treated urban wastewater into the environment. The monitoring should be done through the establishment at national level of a mandatory prior authorisation system in order to discharge the treated urban wastewater into the environment. In addition, in order to ***continuously*** prevent ***both accidental acute leaks as well as chronic diffuse leaks*** of plastic biomedica ***including but not limited to biocarriers***,

essential to include in the discharge authorisations specific obligations to continuously monitor **and prevent such** discharges.

biobeads and polystyrene beads the environment from urban wastewater treatment plants it is essential to include in the discharge authorisations specific obligations to **use appropriate retention solutions such as grids and meshes to prevent discharges and to** continuously monitor **any** discharges **of plastic biomedica**. **In order to prepare for the expected growth in the use of biomedica as well as technological advances in the sector, the definition of plastic biomedica should encompass all existing technologies, while at the same time being future-proof and flexible enough to account for future advancements in this area.**

Amendment 27

Proposal for a directive Recital 21

Text proposed by the Commission

(21) In order to ensure the protection of the environment, direct discharges of biodegradable non-domestic wastewater into the environment from certain industrial sectors should be subject to prior authorisation on national level and appropriate requirements. Those requirements should ensure that direct discharges from certain industrial sectors are subject to secondary, tertiary and quaternary treatment as necessary for the protection of **human** health and the environment.

Amendment

(21) In order to ensure the protection of the environment, direct discharges of biodegradable non-domestic wastewater into the environment from certain industrial sectors should be subject to prior authorisation on national level and appropriate requirements. Those requirements should ensure that direct discharges from certain industrial sectors are subject to secondary, tertiary and quaternary treatment as necessary for the protection of **health in line with the One Health approach** and the environment, **and that, in the final analysis, the parameters set for treated wastewaters are respected.**

Amendment 28

Proposal for a directive Recital 22

(22) According to Article 168(1) TFEU, Union action complements national policies and is to be directed towards improving public health and preventing diseases. In order to ensure optimal use of relevant public health data from urban wastewaters, urban wastewater surveillance should be set up and used for preventive or early warning purposes, for instance in the detection of specific viruses in urban wastewater as a signal of the emergence of epidemics or pandemics. Member States should establish a permanent dialogue and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater management. In the context of that coordination, a list of parameters relevant for public health to be monitored in urban wastewaters should be established, as well as the frequency and location of the sampling. This approach will take advantage of and complement other Union initiatives in the field of public health protection, such as environmental monitoring that includes wastewater surveillance⁵². Based on information gathered during the COVID-19 pandemic and experience gained from the implementation of the Commission Recommendation on a common approach to establish a systematic surveillance of SARS-CoV-2 and its variants in wastewaters in the EU⁵³ (the ‘recommendation’), Member States should be required to monitor health parameters ***related to SARS-CoV-2 and its variants*** on a regular basis. In order to ensure that harmonised methods are used, Member States should, to the extent possible, use sampling and analysis methods set out in the recommendation for the monitoring of SARS-CoV-2 and its variants.

(22) According to Article 168(1) TFEU, Union action complements national policies and is to be directed towards improving public health and preventing diseases. In order to ensure optimal use of relevant public health data from urban wastewaters, urban wastewater surveillance should be set up and used for preventive or early warning purposes, for instance in the detection of specific viruses in urban wastewater as a signal of the emergence of epidemics or pandemics, ***as was the case during the COVID-19 pandemic***. Member States should establish a permanent dialogue and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater management ***and clearly allocate roles and responsibilities and costs among those competent authorities***. In the context of that coordination, a list of parameters relevant for public health to be monitored in urban wastewaters should be established, as well as the frequency and location of the sampling. This approach will take advantage of and complement other Union initiatives in the field of public health protection, such as environmental monitoring that includes wastewater surveillance⁵². Based on information gathered during the COVID-19 pandemic and experience gained from the implementation of the Commission Recommendation on a common approach to establish a systematic surveillance of SARS-CoV-2 and its variants in wastewaters in the EU⁵³ (the ‘recommendation’), Member States should be required to monitor health parameters on a regular basis. In order to ensure that harmonised methods are used, Member States should, to the extent possible, use sampling and analysis methods set out in the recommendation for the monitoring of SARS-CoV-2 and its variants.

⁵² Commission Communication on introducing the European Health Emergency Preparedness and Response Authority, the next step towards completing the European Health Union (COM(2021)576 final).

⁵³ Commission Recommendation (EU) 2021/472 of 17 March 2021 on a common approach to establish a systematic surveillance of SARS-CoV-2 and its variants in wastewaters in the EU (OJ L 98, 19.3.2021, p. 3).

⁵² Commission Communication on introducing the European Health Emergency Preparedness and Response Authority, the next step towards completing the European Health Union (COM(2021)576 final).

⁵³ Commission Recommendation (EU) 2021/472 of 17 March 2021 on a common approach to establish a systematic surveillance of SARS-CoV-2 and its variants in wastewaters in the EU (OJ L 98, 19.3.2021, p. 3).

Amendment 29

Proposal for a directive Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) This Directive acknowledges the 'One Health' approach, as recognised by the World Health Organization, to be an integrated and unifying approach that aims to sustainably balance and optimise the health of people, animals and ecosystems. The 'One Health' approach recognises that the health of humans, domestic and wild animals, plants, and the wider environment, including ecosystems, are closely interlinked and interdependent. It is therefore appropriate to lay down that wastewater treatment should encompass avoiding adverse health effects including epidemics, and to respect the right to a clean, healthy and sustainable environment. In respect of the G7 commitment to acknowledge the rapid rise in Antimicrobial Resistance (AMR) on a global scale, it is necessary to promote the prudent and responsible use of antibiotics in human and veterinary medicines.

Amendment 30

Proposal for a directive

Recital 24

Text proposed by the Commission

(24) In order to protect the environment and **human** health, Member States should identify the risks caused by urban wastewaters management. On the basis of that identification, and where necessary to comply with the requirements of the Union water legislation, Member States should take more stringent measures for the urban wastewater collection and treatment than the measures required to comply with the minimum requirements set out in this Directive. Depending on the situation, those more stringent measures can include, inter alia, the establishment of collecting systems, the development of integrated urban wastewater management plans or the application of secondary, tertiary or quaternary treatment to urban wastewater for agglomerations or urban wastewater treatment plants that do not reach the p.e. thresholds triggering the application of the standard requirements. They can also include more advanced treatment than the treatment necessary to respect the minimum requirements or disinfection of treated urban wastewaters necessary to comply with Directive 2006/7/EC of the European Parliament and of the Council⁵⁵.

⁵⁵ Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management

Amendment

(24) In order to protect the environment and **health in line with the One Health approach**, Member States should identify the risks caused by urban wastewaters management. ***To that end, as a prior approach, control at source should be promoted to prevent pollution in urban wastewater in line with Article 191(2) of the Treaty of the Functioning of the European Union.*** On the basis of that identification, and where necessary to comply with the requirements of the Union water legislation, Member States should take more stringent measures for the urban wastewater collection and treatment than the measures required to comply with the minimum requirements set out in this Directive. Depending on the situation, those more stringent measures can include, inter alia, ***preventive measures*** the establishment of collecting systems, the development of integrated urban wastewater management plans or the application of secondary, tertiary or quaternary treatment to urban wastewater for agglomerations or urban wastewater treatment plants that do not reach the p.e. thresholds triggering the application of the standard requirements, ***as well as the review of discharge authorisations and the use of equivalent treatment ensuring the same level of environmental protection.*** They can also include more advanced treatment than the treatment necessary to respect the minimum requirements or disinfection of treated urban wastewaters necessary to comply with Directive 2006/7/EC of the European Parliament and of the Council⁵⁵.

⁵⁵ ***Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the***

of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

Amendment 31

Proposal for a directive Recital 25

Text proposed by the Commission

(25) Sustainable Development Goal 6 and the associated target requiring Member States to ‘achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations’ by 2030.⁵⁶ Furthermore, Principle 20 of the European Pillar of Social Rights⁵⁷ states that everyone has the right to access essential services of good quality, including water and sanitation. Against that background, and in accordance with the recommendations in the WHO Guidelines for Sanitation and Health⁵⁸ and the provisions of the Protocol on Water and Health⁵⁹ Member States should tackle the issue of access to sanitation at national level. That should be done through actions ***aimed at improving*** access to sanitation for all, for example by setting up sanitation facilities in public spaces, as well as by encouraging the availability of appropriate sanitation facilities in public administrations and public buildings free of charge and/or making them affordable to all. Sanitation facilities should allow the safe management and disposal of human urine, faeces and menstrual ***blood***. They should be safely managed, which implies that they should be accessible to all at all times, including for people with particular needs, such as children, older persons, persons with disabilities and homeless people, that they should be placed in a location that ensures ***minimal risk to the*** safety of users, and that they should be

Amendment

(25) Sustainable Development Goal 6 and the associated target requiring Member States to ‘achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations’ by 2030.⁵⁶ Furthermore, Principle 20 of the European Pillar of Social Rights⁵⁷ states that everyone has the right to access essential services of good quality, including water and sanitation. Against that background, and in accordance with the recommendations in the WHO Guidelines for Sanitation and Health⁵⁸ and the provisions of the Protocol on Water and Health⁵⁹ Member States should tackle the issue of access to sanitation at national level. That should be done through actions ***ensuring*** access to sanitation for all, for example by setting up sanitation facilities in public spaces, as well as by encouraging the availability of appropriate sanitation facilities in public administrations and public buildings free of charge and/or making them affordable to all. Sanitation facilities should allow the safe management and disposal of human urine ***and*** faeces and ***changing of*** menstrual ***products***. They should be safely managed, which implies that they should be accessible to all at all times, including for people with particular needs, such as children, older persons, persons with disabilities and homeless people, that they should be placed in a location that ensures ***maximum*** safety of users, and that they

hygienically and technically safe to use. Such facilities should also be sufficient in number to ensure that the needs of people are met and waiting times are not unreasonably long.

⁵⁶ Resolution adopted by the United Nations General Assembly on 25 September 2015 (A/70/L.1)

⁵⁷ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Establishing a European Pillar of Social Rights (COM/2017/0250 final).

⁵⁸ WHO Guidelines on Sanitation and Health, 2018.

⁵⁹ Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes, 17 June 1999.

should be hygienically and technically safe to use. Such facilities should also be sufficient in number to ensure that the needs of people are met and waiting times are not unreasonably long.

⁵⁶ Resolution adopted by the United Nations General Assembly on 25 September 2015 (A/70/L.1)

⁵⁷ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Establishing a European Pillar of Social Rights (COM/2017/0250 final).

⁵⁸ WHO Guidelines on Sanitation and Health, 2018.

⁵⁹ Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes, 17 June 1999.

Amendment 32

Proposal for a directive Recital 26

Text proposed by the Commission

(26) The specific situation of minority cultures, such as Roma and Travellers, whether settled or not, and in particular their lack of access to sanitation, was acknowledged in the Communication from the Commission of 7 October 2020 ‘A Union of Equality: EU Roma strategic framework for equality, inclusion and participation’, which calls for increasing effective equal access to essential services. Overall, it is appropriate that Member States pay particular attention to vulnerable **and** marginalised **groups** by taking the necessary measures to **improve** access to sanitation for those groups. It is important that the identification of those groups is coherent with Article 16(1) of Directive

Amendment

(26) The specific situation of minority cultures, such as Roma and Travellers, whether settled or not, and in particular their lack of access to sanitation, was acknowledged in the Communication from the Commission of 7 October 2020 ‘A Union of Equality: EU Roma strategic framework for equality, inclusion and participation’, which calls for increasing effective equal access to essential services. Overall, it is appropriate that Member States pay particular attention to vulnerable groups **or groups that are** marginalised **due to factors related to their socio-economic situation, ethnicity, sexuality, gender, disability, homelessness, legal status, religious conviction or other**

(EU) 2020/2184 of the European Parliament and of the Council⁶⁰. Measures to improve access to sanitation by vulnerable and marginalised groups might include providing sanitation facilities in public spaces for free or for a low service fee, improving or maintaining the connection to adequate systems to collect urban wastewater, and raising awareness of the nearest sanitation facilities.

reasons by taking the necessary measures to *ensure* access to sanitation for those groups. It is important that the identification of those groups is coherent with Article 16(1) of Directive (EU) 2020/2184 of the European Parliament and of the Council. Measures to improve access to sanitation by vulnerable and marginalised groups might include providing sanitation facilities in public *and private* spaces for free or for a low service fee *as well as in public administration buildings*, improving or maintaining the connection to adequate systems to collect urban wastewater, and raising awareness of the nearest sanitation facilities.

⁶⁰ *Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (OJ L 435, 23.12.2020, p. 1).*

Amendment 33

Proposal for a directive Recital 28

Text proposed by the Commission

(28) The evaluation concluded that sludge management could be improved to better align it with the principles of the circular economy and of the waste hierarchy as defined in Article 4 of Directive 2008/98/EC. The actions to better monitor and reduce pollution at source from non-domestic discharges will help improving the quality of the sludge produced and ensure its safe use in agriculture. In order to ensure a proper and safe recovery of nutrients, including the critical substance phosphorus, *from the sludge*, minimum recovery rates should be defined at Union level.

Amendment

(28) The evaluation concluded that sludge management could be improved to better align it with the principles of the circular economy and of the waste hierarchy as defined in Article 4 of Directive 2008/98/EC. The actions to better monitor and reduce pollution at source from non-domestic discharges will help improving the quality of the sludge produced and ensure its safe use in agriculture *and other sectors*. In order to ensure *and facilitate* a proper and safe recovery of nutrients *from sludge and wastewater and to ensure coherence in relation to the Union's aim to ensure the availability of secure and sustainable supply chains for critical raw materials*,

including the critical substance phosphorus, minimum recovery rates should be defined at Union level *while there is also a need to work more closely with academia and researchers to identify and apply the most appropriate methods of recovering nutrients from sludge for subsequent use in agriculture. The Commission should promote legislative frameworks for the development of a functional market for recovered phosphorus and nitrogen, and the Member States should facilitate market access and further use of recovered phosphorus. Requirements on recovery should remain open to future developments in technology and process routes for nutrient recovery. Member States should consider the extraction of valuable resources from sewage sludge for agricultural purposes in order to consolidate the resilience and sustainability of the sector and to contribute to the strategic autonomy of the Union's fertiliser industry. Member States should aim for efficient nutrient circularity and should strive to enhance sewage sludge nutrient and metal recovery with a focus on achieving other co-benefits such as biogas or biochar production.*

Amendment 34

Proposal for a directive

Recital 29

Text proposed by the Commission

(29) Additional monitoring is necessary to verify compliance with the new requirements concerning micro-pollutants, non-domestic pollution, energy neutrality, GHG emissions, storm water overflows and urban runoff. To verify the performance of the quaternary treatment concerning the reduction of micro-pollutants in urban wastewater discharges,

Amendment

(29) Additional monitoring is necessary to verify compliance with the new requirements concerning micro-pollutants, non-domestic pollution, energy neutrality, ***all*** GHG emissions ***including nitrous oxide, methane, and*** storm water overflows and urban runoff. ***Such monitoring supports national inventory reporting, provides the necessary***

it is sufficient to monitor a limited set of representative micro-pollutants. The monitoring frequencies should **be aligned** to the current best practices, as currently practiced in Switzerland. To remain cost-effective, those obligations should be adapted to the size of the urban wastewater treatment plants and of the agglomerations. The monitoring will also contribute to provide data for the overall Environmental Monitoring Framework as set up under the 8th Environmental Action Programme⁶³, and more specifically feed the Zero Pollution Monitoring Framework underpinning it⁶⁴.

infrastructure to implement IPCC Guidelines for monitoring and enables the future development of action plans for science-based mitigation aligned with the Paris Agreement. To verify the performance of the quaternary treatment concerning the reduction of micro-pollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micro-pollutants. The monitoring frequencies should **build on** to the current best practices, as currently practiced in Switzerland. ***They should be expanded to capture particularly hazardous substances such as Telmisartan, Bisphenol A, Beta-estradiol and Perfluorooctane sulfonic acid (PFOS).*** To remain cost-effective, those obligations should be adapted to the size of the urban wastewater treatment plants and of the agglomerations. The monitoring will also contribute to provide data for the overall Environmental Monitoring Framework as set up under the 8th Environmental Action Programme⁶³, and more specifically feed the Zero Pollution Monitoring Framework underpinning it⁶⁴***and support digital transition in the water sector in line with the Union's Digital Strategy.***

⁶³ Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

⁶⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' (COM/2021/400 final).

⁶³ Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

⁶⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' (COM/2021/400 final).

Amendment 35

Proposal for a directive

Recital 30

Text proposed by the Commission

(30) In order to reduce administrative burden and better use the possibilities offered by digitalisation, the reporting on the implementation of the Directive should be improved and simplified by removing the obligation for Member States to report every two years to the Commission and for the Commission to publish bi-yearly reports. It should be replaced by a requirement for Member States to improve, with the support of the European Environment Agency (EEA), the existing national standardised data sets established under Directive 91/271/EEC, and to regularly update them. Permanent access to the national databases should be provided to the Commission and the EEA. In order to ensure complete information on the application of this Directive, the data sets should include information on compliance of urban wastewater treatment plants with the treatment requirements (pass/fail, loads and concentration of pollutants discharged), on the level of achievement of the objectives of energy neutrality, on GHG emissions of the treatment plants above 10 000 p.e. and on measures taken by the Member States in the context of storm water overflows/ urban runoff, access to sanitation and treatment by individual systems. Moreover, full coherence with Regulation (EC) 166/2006 of the European Parliament and of the Council⁶⁵ should be ensured to optimise the use of the data, as well as to support full transparency.

Amendment

(30) In order to reduce administrative burden and better use the possibilities offered by digitalisation, the reporting on the implementation of the Directive should be improved and simplified by removing the obligation for Member States to report every two years to the Commission and for the Commission to publish bi-yearly reports. It should be replaced by a requirement for Member States to improve, with the support of the European Environment Agency (EEA), the existing national standardised data sets established under Directive 91/271/EEC, and to regularly update them. Permanent access to the national databases should be provided to the Commission and the EEA ***and should be made available to the public via a centralised Union-wide database on urban wastewater treatment. That database should allow for comparison between Member States of the performance of treatment plants to prevent pollution, allow benchmarking of measures taken and support compliance with this Directive, including the application of extended producer responsibility with a special focus on the sources of pollution.*** In order to ensure complete information on the application of this Directive, the data sets should include information on compliance of urban wastewater treatment plants with the treatment requirements (pass/fail, loads and concentration of pollutants discharged), on the level of achievement of the objectives of energy neutrality, on GHG emissions of the treatment plants above 10 000 p.e. and on measures taken by the Member States in the context of storm water overflows/ urban runoff, ***including early warning systems in the event of runoffs***, access to sanitation and treatment by individual systems ***and implementation of extended***

producer responsibility. Moreover, full coherence with Regulation (EC) 166/2006 of the European Parliament and of the Council⁶⁵ should be ensured to optimise the use of the data, as well as to support full transparency. ***The administrative burden of providing information and data to the public should at all times respect the principle of proportionality.***

⁶⁵ Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (Text with EEA relevance) OJ L 33, 4.2.2006, p. 1–17

⁶⁵ Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (Text with EEA relevance) OJ L 33, 4.2.2006, p. 1–17

Amendment 36

Proposal for a directive Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) Substantial funding from the Union is currently available to meet the costs of implementing the Urban Wastewater Treatment Directive. Cohesion Policy allocations have amounted to EUR 38,8 billion for the wastewater sector since 2000. Besides cohesion policy funding for direct investment in the water sector, Union funds, including cohesion policy funds, Horizon 2020 and LIFE funds, also supported research in the Union water sector. Between 2000 and 2017, the Union financed a total of 138 LIFE projects related to wastewater treatment. Further support at Union level will be necessary to implement new ambitious goals and leave no one behind while ensuring a high level of urban wastewater treatment and citizens' access to such treatment across Europe. The financing of the quaternary

treatment however should be financed through the national EPR schemes together with national financing to limit the impact on citizens' water bills and to ensure that the polluter pays principle is respected. As an additional measure in line with the implementation assessment, the Commission should ensure that appropriate financial means are provided for wastewater treatment to ensure complex fulfilment of the obligations provided for in this Directive by all Member States through the investment programs of the next Multiannual Financial Framework (MFF, post-2027).

Amendment 37

Proposal for a directive

Recital 32

Text proposed by the Commission

(32) The urban wastewater collection and treatment sector is specific, ***operating as a captive market***, with public and small enterprises being connected to the collecting system without having the possibility to choose their operators. It is therefore important to ensure public access to operators' key performance indicators, such as the level of treatment achieved, the costs of treatment, the energy used and produced, and the related GHG emissions and carbon footprint. In order to make the public more aware of the implications of urban wastewater treatment, key information on the annual wastewater collection and treatment costs for each household should be provided in an easily accessible manner, ***for instance*** on the invoices, while other detailed information should be accessible online, on a website of the operator or the competent authority.

Amendment

(32) The urban wastewater collection and treatment sector is specific, with public and small enterprises being connected to the collecting system without having the possibility to choose their operators. It is therefore ***important to secure access to water and sanitation. It is also*** important to ensure public access to operators' key performance indicators, such as the level of treatment achieved, the costs of treatment, the energy used and produced, and the related GHG emissions and carbon footprint. In order to make the public more aware of the implications of urban wastewater treatment, key information on the annual wastewater collection and treatment costs for each household should be provided in an easily accessible manner on the invoices, while other detailed information should be accessible ***in a user-friendly format*** online, on a website of the operator or the competent authority.

Amendment 38

Proposal for a directive Recital 33

Text proposed by the Commission

(33) Directive 2003/4/EC of the European Parliament and of the Council⁶⁶ guarantees the right of access to environmental information in the Member States in line with the 1998 Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the ‘Aarhus Convention’). The Aarhus Convention encompasses broad obligations related both to making environmental information available upon request and actively disseminating such information. It is important that the provisions of this Directive related to access to information and data-sharing arrangements complement that Directive, by establishing the obligation to make available to the public online information on the collection and treatment of urban wastewater in a user-friendly manner, without creating a separate legal regime.

⁶⁶ 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).

Amendment

(33) Directive 2003/4/EC of the European Parliament and of the Council⁶⁶ guarantees the right of access to environmental information in the Member States in line with the 1998 Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the ‘Aarhus Convention’). The Aarhus Convention encompasses broad obligations related both to making environmental information available upon request and actively disseminating such information. It is important that the provisions of this Directive related to access to information and data-sharing arrangements complement that Directive, by establishing the obligation to make available to the public online information on the collection and treatment of urban wastewater in a user-friendly manner, without creating a separate legal regime. ***In ensuring that the public in the concerned area is informed of the harmful and significant contamination levels in the event of water pollution above the threshold set by the Union or the national legislation, Member States should take into account guidance by the Commission and establish public warning systems based on best-practice solutions such as the Cell Broadcast Technology.***

⁶⁶ 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).

Amendment 39

Proposal for a directive Recital 35

Text proposed by the Commission

(35) To adapt this Directive to scientific and technical progress, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending certain parts of the Annexes with regard to the requirements for the secondary, tertiary and quaternary treatment and the requirements for specific authorisations for discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants and in respect of supplementing this ***Directive*** by establishing minimum reuse and recycling rates for phosphorus and nitrogen from sludge. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

(35) To adapt this Directive to scientific and technical progress, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending certain parts of the Annexes with regard to the requirements for the secondary, tertiary and quaternary treatment and the requirements for specific authorisations for discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants and in respect of supplementing this ***Directive*** by establishing minimum reuse and recycling rates for phosphorus and nitrogen from ***urban wastewater and sludge, in order to incentivise a variety of recovery techniques, including pyrolysis and struvite precipitation, as well as nutrient recovery from*** sludge. ***Considering that phosphorous and nitrogen are valuable resources for agriculture, the Commission should adopt those delegated acts within one year of the end of the transposition period for this directive. Within this time period,*** it is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. ***In addition, the Commission should be empowered to***

adopt delegated acts to extend the list of sectors contributing to extended producer responsibility schemes.

Amendment 40

Proposal for a directive

Recital 36

Text proposed by the Commission

(36) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission for the adoption of standards for the design of individual systems, for the adoption of monitoring and assessment methods for the indicators of the quaternary treatment, for the establishment of common conditions and criteria for the application of the exoneration for certain products from extended producer responsibility, for establishing methodologies to support the development of integrated urban wastewater management plans and to measure antimicrobial resistance and micro-plastics in urban wastewater, and for the adoption of the format of, and modalities for, presenting the information to be provided by Member States and compiled by the EEA on the implementation of this Directive. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁶⁷.

Amendment

(36) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission for the adoption of standards for the design of individual systems, for the adoption of monitoring and assessment methods for the indicators of the quaternary treatment, ***for the establishment and updating of the list of micro-pollutants***, for the establishment of common conditions and criteria for the application of the exoneration for certain products from extended producer responsibility, for establishing methodologies to support the development of integrated urban wastewater management plans and to measure antimicrobial resistance and micro-plastics in urban wastewater, and for the adoption of the format of, and modalities for, presenting the information to be provided by Member States and compiled by the EEA on the implementation of this Directive. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁶⁷. ***The Commission should adopt a delegated act to set requirements for the monitoring of micro-plastics in urban wastewater provided for in this Directive, in accordance with the procedure referred to in this Directive, 12 months after they are added to the watch list under Directive 2022/0344 (COD).***

⁶⁷ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

⁶⁷ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment 41

Proposal for a directive Recital 37 a (new)

Text proposed by the Commission

Amendment

(37a) It is important to ensure that this Directive provides for the achievement of a better quality of water while not jeopardising the accessibility, availability and affordability of vital products.

Amendment 42

Proposal for a directive Recital 37 b (new)

Text proposed by the Commission

Amendment

(37b) The Member States should be able to envisage additional reimbursement of the difference of costs generated by the requirements provided for in this Directive for the purpose of supporting essential medicines in order to ensure they remain available on the market and accessible for citizens.

Amendment 43

Proposal for a directive Recital 38

(38) Pursuant to the Interinstitutional Agreement on Better Law-Making⁶⁸, the Commission should carry out an evaluation of this Directive within a certain period of time from the date set for its transposition. That evaluation should be based on experience gained and data collected during the implementation of this Directive, on any available WHO recommendations, and on relevant scientific, analytical, and epidemiological data. In the evaluation, particular attention should be given to the possible necessity to adapt of the list of products to be covered by extended producer responsibility according to the evolution of the range of products placed on the market, the improvement of knowledge on the presence of micro-pollutants in the wastewaters and their impacts on public health and the environment, and data from the new monitoring obligations on micro-pollutants in the inlets and outlets of the urban wastewater treatment plants.

(38) Pursuant to the Interinstitutional Agreement on Better Law-Making⁶⁸, the Commission should carry out an evaluation of this Directive within a certain period of time from the date set for its transposition. That evaluation should be based on experience gained and data collected during the implementation of this Directive, on any available WHO recommendations, and on relevant scientific, analytical, and epidemiological data. In the evaluation, particular attention should be given to the possible necessity to ***introduce reduction targets for greenhouse gas emissions from the wastewater treatment sector, the need to remove micro-plastics and PFAS from urban wastewater before discharge, the need to*** adapt of the list of products to be covered by extended producer responsibility according to the evolution of the range of products placed on the market, ***and to the method of eliminating and denaturing such products at the final use stage without major environmental impacts***, the improvement of knowledge on the presence of micro-pollutants in the wastewaters and their impacts on public health and the environment, and data from the new monitoring ***and analysis*** obligations on micro-pollutants in the inlets and outlets of the urban wastewater treatment plants. ***In taking the relevant measures at Union and national level to achieve the zero pollution objective for water pollution, Member States, the European Parliament, the Council and the Commission should be guided by the ‘precautionary principle’ and the ‘polluter pays principle’ established in the TFEU, and the ‘do no harm’ principle of the European Green Deal.***

⁶⁸ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L

⁶⁸ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L

Amendment 44

Proposal for a directive

Article 1 – paragraph 1

Text proposed by the Commission

This Directive lays down rules on the collection, treatment, and discharge of urban wastewater , to protect the environment and **human** health while progressively **eliminating** greenhouse gas emissions and improving the energy balance of urban wastewater collection and treatment activities. It also lays down rules on access to sanitation, on transparency of the urban wastewater sector and on the regular surveillance of public health relevant parameters in urban wastewaters .

Amendment

This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and **health, in accordance with the One Health approach**, while progressively **reducing** greenhouse gas emissions and improving the energy balance of urban wastewater collection and treatment activities **while contributing to the transition towards a circular economy**. It also lays down rules on access to sanitation **for all**, on transparency of the urban wastewater sector and on the regular surveillance of public health relevant parameters in urban wastewaters, **and through integrated wastewater management planning it aims to increase synergies with climate change adaptation and urban ecosystem restoration action**.

Amendment 45

Proposal for a directive

Article 2 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘urban wastewater ’ means **domestic wastewater , the mixture of domestic wastewater and non-domestic wastewater or the mixture of domestic wastewater and urban runoff ;**

Amendment

(1) ‘urban wastewater’ means **any of the following:**

Amendment 46

Proposal for a directive
Article 2 – paragraph 1 – point 1 – point a (new)

Text proposed by the Commission

Amendment

a) *domestic wastewater;*

Amendment 47

Proposal for a directive
Article 2 – paragraph 1 – point 1 – point b (new)

Text proposed by the Commission

Amendment

**(b) *the mixture of domestic
wastewater and non-domestic wastewater;***

Amendment 48

Proposal for a directive
Article 2 – paragraph 1 – point 1 – point c (new)

Text proposed by the Commission

Amendment

**(c) *the mixture of domestic
wastewater and urban runoff;***

Amendment 49

Proposal for a directive
Article 2 – paragraph 1 – point 1 – point d (new)

Text proposed by the Commission

Amendment

**(d) *the mixture of domestic
wastewater, non-domestic wastewater and
urban runoff;***

Amendment 50

Proposal for a directive
Article 2 – paragraph 1 – point 3 – introductory part

Text proposed by the Commission

(3) ‘ non-domestic wastewater ’ means any wastewater which is discharged into collecting systems from premises used for either of the following:

Amendment

(3) ‘ non-domestic wastewater ’ means any wastewater which ***is not predominantly a product of the human metabolism or household activities and*** is discharged into collecting systems from premises used for either of the following:

Amendment 51

**Proposal for a directive
Article 2 – paragraph 1 – point 4**

Text proposed by the Commission

(4) 'agglomeration' means an area where the pollution load of urban wastewater is sufficiently concentrated (**10** p.e. per hectare or above) for urban wastewater to be collected and conducted to an urban wastewater treatment plant or to a final discharge point;

Amendment

(4) 'agglomeration' means an area where the pollution load of urban wastewater is sufficiently concentrated (**25** p.e. per hectare or above) for urban wastewater to be collected and conducted to an urban wastewater treatment plant or to a final discharge point;

Amendment 52

**Proposal for a directive
Article 2 – paragraph 1 – point 5**

Text proposed by the Commission

(5) ‘urban runoff’ means rainwater from agglomerations collected by combined or separate sewers;

Amendment

(5) ‘urban runoff’ means rainwater, ***snow or meltwater*** from agglomerations collected by combined or separate sewers;

Amendment 53

**Proposal for a directive
Article 2 – paragraph 1 – point 6**

Text proposed by the Commission

(6) 'storm water overflow' means

Amendment

(6) 'storm water overflow' means

discharge of untreated urban wastewater in receiving waters from combined sewers caused by rainfall;

discharge of ***partially treated and*** untreated urban wastewater in receiving waters from combined sewers ***or from urban wastewater treatment plants*** caused by ***excessive*** rainfall;

Amendment 54

Proposal for a directive

Article 2 – paragraph 1 – point 16

Text proposed by the Commission

(16) ‘micro-pollutant’ means a substance, including its breakdown products, that is usually present in the environment and urban wastewaters in concentrations ***below milligrams*** per litre and which can be considered hazardous to ***human*** health ***or*** the environment based on ***any of*** the criteria set out in Part 3 and Part 4 of Annex I to Regulation EC⁶⁹ ;

⁶⁹ Regulation EC 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures (OJ L 353 31.12.2008, p 1).

Amendment

(16) ‘micro-pollutant’ means a substance ***as defined by Regulation (EC) No 1907/2006***, including its breakdown products, that is usually present in the environment and urban wastewaters in concentrations ***of micrograms*** per litre, ***or below***, and which can be considered hazardous to health ***and*** the environment based on the criteria set out in Part 3 and Part 4 of Annex I to Regulation EC⁶⁹;

⁶⁹ Regulation EC 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures (OJ L 353 31.12.2008, p 1).

Amendment 55

Proposal for a directive

Article 2 – paragraph 1 – point 19

Text proposed by the Commission

(19) ‘Producer Responsibility Organisation’ means an organisation established ***collectively by*** producers ***for the purpose of fulfilling*** their obligations under Article 9;

Amendment

(19) ‘Producer Responsibility Organisation’ means an organisation established ***under the supervision of Member States’ competent authorities with support to enable*** producers ***to fulfil*** their obligations under Article 9;

Amendment 56

Proposal for a directive

Article 2 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

Amendment

(19a) ‘polluter pays principle’ means a principle according to which polluters shall bear the costs of their pollution or environmental damage, including the cost of measures taken to prevent, control and remedy pollution;

Amendment 57

Proposal for a directive

Article 2 – paragraph 1 – point 20

Text proposed by the Commission

Amendment

(20) ‘sanitation’ means facilities and services for the safe disposal of human urine, faeces, and menstrual ***blood***;

(20) ‘sanitation’ means facilities and services for the safe, ***hygienic, secure, and socially and culturally acceptable*** disposal of human urine ***and*** faeces, and ***for the changing and disposal of*** menstrual ***products, that provide privacy and ensures dignity***;

Amendment 58

Proposal for a directive

Article 2 – paragraph 1 – point 21 a (new)

Text proposed by the Commission

Amendment

(21a) ‘One Health Approach’ means an integrated, unifying approach that aims to sustainably balance and optimise the health of people, animals, plants and ecosystems. It recognises that the health of humans, domestic and wild animals, plants, and the wider environment including ecosystems are closely interlinked and inter-dependent;

Amendment 59

Proposal for a directive

Article 2 – paragraph 1 – point 22

Text proposed by the Commission

(22) ‘public concerned’ means the public affected or likely to be affected by, or having an interest in, the decision-making procedures for the implementation of the obligations laid down in this Directive, including non-governmental organisations promoting the protection of **human** health or the environment;

Amendment

(22) ‘public concerned’ means the public affected or likely to be affected by, or having an interest in, the decision-making procedures for the implementation of the obligations laid down in this Directive, including non-governmental organisations promoting the protection of **health, in line with the One Health approach, or of** the environment;

Amendment 60

Proposal for a directive

Article 2 – paragraph 1 – point 23

Text proposed by the Commission

(23) ‘plastic biomedica’ means **a** plastic support used for the development of **the** bacteria needed for the treatment of **urban** wastewaters;

Amendment

(23) ‘plastic biomedica’ means **any** plastic support used for the development of bacteria, **including but not limited to biocarriers, biobeads, polystyrene beads, that are** needed for the treatment of wastewaters;

Amendment 61

Proposal for a directive

Article 2 – paragraph 1 – point 24 a (new)

Text proposed by the Commission

Amendment

(24a) ‘direct greenhouse gas emissions’ means emission that occur from sources that are owned or controlled by the urban wastewater treatment plant and collecting systems, including gas emissions such as

methane and nitrous oxide;

Amendment 62

Proposal for a directive

Article 2 – paragraph 1 – point 24 b (new)

Text proposed by the Commission

Amendment

(24b) 'indirect greenhouse gas emissions' means the release of gases resulting from the production of purchased electricity that is brought into the urban wastewater treatment plant and collection systems, as well as from the operation of such plants and systems.

Amendment 63

Proposal for a directive

Article 3 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. By 31 December **2030**, Member States shall ensure that all agglomerations with a p.e. of between **1 000** and 2 000 comply with the following requirements:

2. By 31 December **2032**, Member States shall ensure that all agglomerations with a p.e. of between **750** and 2 000 comply with the following requirements:

Amendment 64

Proposal for a directive

Article 3 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall take measures to ensure that competent authorities carry out an assessment of the wastewater leakage levels and associated emissions on their territory and of the potential for improvements in wastewater leakage reduction. That assessment shall take into account relevant public health, environmental, technical and economic

aspects. Member States shall adopt, by 31 December 2030, national targets to reduce the leakage levels of wastewater in their territory by 31 December 2035. Member States may provide meaningful incentives to ensure that sewage operators in their territory meet the national targets.

Justification

The Opinion of the European Economic and Social Committee finds that Leakage from sewage pipes is an often overlooked and largely unreported source of untreated wastewater that puts groundwater at risk. This can represent a significant share of the pollution load from urban systems on the environment (point 4.11). Therefore, Member States should aim to reduce leakages from sewers.

Amendment 65

Proposal for a directive Article 4 – paragraph 1

Text proposed by the Commission

1. By way of derogation from Article 3, where exceptionally the establishment of a collecting system is not justified either because it would produce no environmental benefit or because it would involve excessive cost, Member States shall ensure that individual systems for the treatment of urban wastewaters ('individual systems') are used.

Amendment

1. By way of derogation from Article 3, where exceptionally the establishment of ***a collecting system or connection to*** a collecting system is not justified either because it would produce no environmental benefit or because it would involve excessive cost, Member States shall ensure that individual systems for the treatment of urban wastewaters ('individual systems') ***or other appropriate systems which achieve the same level of health and environmental protection*** are used.

Amendment 66

Proposal for a directive Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that individual systems are designed, operated and

Amendment

Member States shall ensure that ***the*** individual systems ***referred to in***

maintained in a manner that ensures at least the same level of **treatment** as the secondary and tertiary treatments referred to in Articles 6 and 7.

paragraph 1 are designed, operated and maintained in a manner that ensures at least the same level of **health and environmental protection** as the secondary and tertiary treatments referred to in Articles 6 and 7.

Amendment 67

Proposal for a directive Article 4 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Member States shall ensure that **agglomerations where** individual systems **are used** are registered in a public registry and that regular inspections of those systems are carried out by the **appropriate** authority.

Amendment

Member States shall ensure that individual systems are registered in a public registry and that regular inspections of those systems are carried out by the **competent** authority, **and shall exchange best practice on the use and operation of individual systems as well as on regular inspections every four years, including the management and operative aspects by the competent authorities.**

Amendment 68

Proposal for a directive Article 4 – paragraph 3

Text proposed by the Commission

3. **The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to supplement this Directive by establishing** minimum requirements on the design, operation, and maintenance of individual systems **and by specifying** the requirements for the regular inspections referred to in paragraph 2, second subparagraph.

Amendment

3. **Member States shall establish** minimum requirements **based on guidance provided by the Commission within 24 months of the entry into force of this Directive** on the design, operation, and maintenance of individual systems **across the Union and shall establish** the requirements for the regular inspections referred to in paragraph 2, second subparagraph.

Amendment 69

Proposal for a directive

Article 4 – paragraph 4 – introductory part

Text proposed by the Commission

4. Member States that use individual systems to treat more than 2 % of the urban wastewater load from agglomerations of 2 000 p.e. and above shall provide the Commission with a detailed justification for the use of individual systems ***in each of the agglomerations***. That justification shall:

Amendment

4. Member States that use individual systems to treat more than 2 % of the urban wastewater load from agglomerations of 2 000 p.e. and above shall provide the Commission with a detailed justification for the use of individual systems. That justification shall:

Amendment 70

Proposal for a directive

Article 4 – paragraph 4 – point c

Text proposed by the Commission

(c) demonstrate compliance with the minimum requirements referred to in paragraph 3 where the Commission has exercised its delegated power under that paragraph.

Amendment

deleted

Amendment 71

Proposal for a directive

Article 4 – paragraph 4 – point c a (new)

Text proposed by the Commission

Amendment

(ca) demonstrate compliance with the environmental objectives established in Directive 2000/60/EC.

Amendment 72

Proposal for a directive

Article 5 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

By **31 December 2025**, Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data and state-of-the-art climate projections, one or more of the following conditions apply:

By... [**two years after the entry into force of this directive**], Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data and state-of-the-art climate projections, **including seasonal variations**, one or more of the following conditions apply:

Amendment 73

Proposal for a directive

Article 5 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) storm water overflow or urban runoff poses a risk to the environment or **human** health;

(a) storm water overflow or urban runoff poses a risk to the environment or **health in line with the One Health approach** ;

Amendment 74

Proposal for a directive

Article 5 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) storm water overflow represents more than 1 % of the annual collected urban wastewater load, calculated in dry weather conditions;

(b) storm water overflow represents more than **approximately** 1 % of the annual collected urban wastewater load, calculated in dry weather conditions;

Amendment 75

Proposal for a directive

Article 5 – paragraph 2 – subparagraph 1 – point c – point iv a (new)

Text proposed by the Commission

Amendment

(iva) the requirements set out in Article 1 of Directive 2008/56/EC of the

Amendment 76

Proposal for a directive

Article 5 – paragraph 4

Text proposed by the Commission

4. Integrated urban wastewater management plans shall be made available to the Commission on request.

Amendment

4. Integrated urban wastewater management plans, ***including the specification of parts completed and elements yet to be put in place***, shall be made available to the Commission on request ***within three months of their publication***.

Amendment 77

Proposal for a directive

Article 5 – paragraph 5

Text proposed by the Commission

5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.

Amendment

5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V ***and prioritise green and blue infrastructure solutions wherever possible***.

Amendment 78

Proposal for a directive

Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The Commission shall take appropriate action regarding the integrated urban wastewater management plans established by Member States, in the event that such plans do not include at least the elements set out in Annex V.

Amendment 79

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 1 – point b

Text proposed by the Commission

(b) provide methodologies for the determination of alternative indicators to verify whether the *indicative* objective of pollution reduction referred to *in point 2 (a) of Annex V* is achieved;

Amendment

(b) provide methodologies for the determination of alternative indicators *as set out in point 2 (a) of Annex V* to verify whether the objective of pollution reduction referred to *in that point* is achieved;

Amendment 80

Proposal for a directive

Article 5 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Member States shall aim at increasing green space in urban areas in order to reduce storm water overflows based on natural solutions.

Amendment 81

Proposal for a directive

Article 5 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. Member States shall ensure that integrated urban wastewater management plans are reviewed every five years after their establishment and updated where necessary.

Amendment 82

Proposal for a directive

Article 6 – paragraph 1 – subparagraph 2 a (new)

By way of derogation, urban waste water discharges into waters situated in regions with a cold climate where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment (biochemical oxygen demand, BOD5 as defined in Annex 1, table 1, row 2) which is less stringent than that prescribed in paragraph 1, if the average annual water temperature of the inlet is below 6°C, and provided that detailed studies indicate that such discharges do not adversely affect the environment. However, the treatment must reach a minimum reduction percentage of 40%, measured at least weekly. Member States that make use of such derogation shall report it to the Commission.

Amendment 83

Proposal for a directive Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. For agglomerations of between **1 000** p.e. and 2 000 p.e., Member States shall ensure that urban wastewater entering collecting systems is subject to secondary treatment in accordance with paragraph 3 or an equivalent treatment before discharge by 31 December **2030**.

2. For agglomerations of between **750** p.e. and 2 000 p.e., Member States shall ensure that urban wastewater entering collecting systems is subject to secondary treatment in accordance with paragraph 3 or an equivalent treatment before discharge by 31 December **2032**.

Amendment 84

Proposal for a directive Article 6 – paragraph 4

Text proposed by the Commission

Amendment

4. The load expressed in p.e. shall be calculated on the basis of the maximum

4. The load expressed in p.e. shall be calculated on the basis of the maximum

average weekly load entering the urban wastewater treatment plant during the year, excluding unusual situations due to heavy rain.

average weekly load entering the urban wastewater treatment plant during the year, excluding unusual *weather* situations *such as those* due to heavy rain.

Amendment 85

Proposal for a directive

Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

By 31 December **2030**, Member States shall ensure that discharges from 50 % of urban wastewater treatment plants treating a load of 100 000 p.e. and above and not applying tertiary treatment on [OP please insert the date = the date of entry into force of this Directive] are subject to tertiary treatment in accordance with paragraph 4.

Amendment

By 31 December **2033**, Member States shall ensure that discharges from 50 % of urban wastewater treatment plants treating a load of 100 000 p.e. and above and not applying tertiary treatment on [OP please insert the date = the date of entry into force of this Directive] are subject to tertiary treatment in accordance with paragraph 4.

Amendment 86

Proposal for a directive

Article 7 – paragraph 1 – subparagraph 2

Text proposed by the Commission

By 31 December **2035**, Member States shall ensure that all urban wastewater treatment plants treating a load of 100 000 p.e. and above are subject to tertiary treatment in accordance with paragraph 4.

Amendment

By 31 December **2038**, Member States shall ensure that all urban wastewater treatment plants treating a load of 100 000 p.e. and above are subject to tertiary treatment in accordance with paragraph 4.

Amendment 87

Proposal for a directive

Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

By **31 December 2025**, Member States shall establish *a* list of areas on their territory that are sensitive to eutrophication

Amendment

By ... *[please insert the date 2 years after the entry into force of this Directive]*, Member States shall establish *and publish*

and update that list every five years starting on 31 December 2030.

*a list of relevant areas on their territory that are sensitive to eutrophication, **and shall include with that list information on whether they are phosphorus- and/or nitrogen-sensitive areas** and update that list every five years starting on 31 December 2030, **also including information on the cause of the eutrophication.***

Amendment 88

Proposal for a directive

Article 7 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The list referred to in the first subparagraph shall include the areas identified in Annex II.

Amendment

The list referred to in the first subparagraph shall include the areas identified in Annex II. ***By 31 December 2024, the Commission shall publish guidelines for the harmonised implementation of Annex 2, in particular with regard to transboundary water bodies.***

Amendment 89

Proposal for a directive

Article 7 – paragraph 3 – subparagraph 1

Text proposed by the Commission

By 31 December **2035**, Member States shall ensure that for 50 % of the agglomerations of **between** 10 000 p.e. and **100 000 p.e.** that are discharging into areas included in the list referred to in paragraph 2 and not applying tertiary treatment on [OP please insert the date = the date of entry into force of this Directive] urban wastewater entering collecting systems is subject to tertiary treatment in accordance with paragraph 4 before discharge into those areas .

Amendment

Without prejudice to paragraph 1, by 31 December **2038**, Member States shall ensure that for 50 % of the agglomerations of 10 000 p.e. and **above** that are discharging into areas included in the list referred to in paragraph 2 and not applying tertiary treatment on [OP please insert the date = the date of entry into force of this Directive] urban wastewater entering collecting systems is subject to tertiary treatment in accordance with paragraph 4 before discharge into those areas .

Amendment 90

Proposal for a directive

Article 7 – paragraph 3 – subparagraph 2

Text proposed by the Commission

By 31 December **2040**, Member States shall ensure that urban wastewater entering collecting systems is subject to tertiary treatment in accordance with paragraph 4 before discharge into areas included in a list referred to in paragraph 2 with regard to all agglomerations of **between** 10 000 p.e. and **100 000 p.e.**

Amendment

Without prejudice to the paragraph 1, by 31 December **2043**, Member States shall ensure that urban wastewater entering collecting systems is subject to tertiary treatment in accordance with paragraph 4 before discharge into areas included in a list referred to in paragraph 2 with regard to all agglomerations of 10 000 p.e. and **above**.

Amendment 91

Proposal for a directive

Article 7 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Samples taken in accordance with Article 21 and Part D of Annex I of this Directive shall comply with the parametric values set out in table 2 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 2 of Part B of Annex I is set out in table 4 of Part D of Annex I.

Amendment

The annual mean of the samples taken in accordance with Article 21 and Part D of Annex I of this Directive shall comply with the parametric values set out in table 2 of Part B of Annex I ***to ensure a high level of protection of the environment***. The maximum permitted number of samples which fail to conform to the parametric values of table 2 of Part B of Annex I is set out in table 4 of Part D of Annex I.

Amendment 92

Proposal for a directive

Article 7 – paragraph 5 – point a

Text proposed by the Commission

(a) **82,5 %** for total phosphorus and **80 %** for total nitrogen by 31 December 2035;

Amendment

(a) **90 %** for total phosphorus and **75%** for total nitrogen by 31 December 2035;

Amendment 93

Proposal for a directive

Article 7 – paragraph 5 – point b

Text proposed by the Commission

(b) **90 %** for total phosphorus and **85 %** for total nitrogen by 31 December 2040.

Amendment

(b) **93%** for total phosphorus and **80 %** for total nitrogen by 31 December 2040.

Days during which the effluent temperature falls below 12 °C are not relevant for the calculation of nitrogen removal for the purpose referred to in the first subparagraph.

Amendment 94

Proposal for a directive

Article 7 – paragraph 7

Text proposed by the Commission

7. Member States shall ensure that discharges from urban wastewater treatment plants which are situated in an area included in a list referred to in paragraph 2 following one of the regular updates of the list required by that paragraph fulfil the requirements laid down in paragraphs 3 and 4 within seven years of the inclusion in that list .

Amendment

7. Member States shall ensure that discharges from urban wastewater treatment plants which are situated in ***an area included in a list referred to in paragraph 2 and discharges from urban wastewater treatment plants into a catchment area of*** an area included in a list referred to in paragraph 2 following one of the regular updates of the list required by that paragraph fulfil the requirements laid down in paragraphs 3 and 4 within seven years of the inclusion in that list .

Amendment 95

Proposal for a directive

Article 8 – paragraph 1 – subparagraph 1

Text proposed by the Commission

By **31 December 2030**, Member States shall ensure that 50 % of discharges from urban wastewater treatment plants treating

Amendment

By ... ***[five years after the entry into force of this Directive]***, Member States shall ensure that 50 % of discharges from urban

a load of **100 000** p.e. and above are subject quaternary treatment in accordance with paragraph 5.

wastewater treatment plants treating a load of **150 000** p.e. and above are subject quaternary treatment in accordance with paragraph 5.

Amendment 96

Proposal for a directive

Article 8 – paragraph 1 – subparagraph 2

Text proposed by the Commission

By **31 December 2035**, Member States shall ensure that all urban wastewater treatment plants treating a load of **100 000** p.e. and above are subject to quaternary treatment in accordance with paragraph 5.

Amendment

By... **[ten years after the entry into force of this Directive]**, Member States shall ensure that all urban wastewater treatment plants treating a load of **150 000** p.e. and above are subject to quaternary treatment in accordance with paragraph 5.

Amendment 97

Proposal for a directive

Article 8 – paragraph 2 – subparagraph 1

Text proposed by the Commission

On 31 December 2030, Member States shall have established **a list** a list of **areas** on their national territory where the concentration or the accumulation of micro-pollutants represents a risk for **human** health or the environment. Member States shall review that list every five years thereafter and update it if necessary.

Amendment

By... [two years after the entry into force of this Directive], Member States shall have established **and published** a list of **agglomerations of 100 000 p.e. and above** on their national territory **and by ... [five years after the entry into force of this Directive] a list of agglomerations of 35 000 p.e. and above** where the concentration or the accumulation of micro-pollutants, represents a risk for health or the environment. Member States shall review that list **at least** every five years thereafter and update it **without unnecessary delay** if necessary.

Amendment 98

Proposal for a directive

Article 8 – paragraph 2 – subparagraph 2 – introductory part

Text proposed by the Commission

The ***list*** referred to in the first subparagraph shall include the following areas, unless the absence of risk for ***human*** health or the environment in those areas can be demonstrated based on a risk assessment:

Amendment

The ***lists*** referred to in the first subparagraph shall include the following areas, unless the absence of risk for health or the environment in those areas can be demonstrated based on a risk assessment:

Amendment 99

Proposal for a directive

Article 8 – paragraph 2 – subparagraph 2 – point f

Text proposed by the Commission

(f) areas where additional treatment is necessary to meet the requirements set out in Directives 2000/60/EC ***and*** 2008/105/EC.

Amendment

(f) areas where additional treatment is necessary to meet the requirements set out in Directives 2000/60/EC, ***2006/118/EC***, 2008/105/EC ***and*** ***2008/56/EC***;

Amendment 100

Proposal for a directive

Article 8 – paragraph 2 – subparagraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) special areas of conservation as designated under Directive 92/43/EEC and special protection areas designated under Directive 79/409/EEC constitutive of the Natura 2000 ecological network.

Amendment 101

Proposal for a directive

Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where a Member State fails to

establish the lists referred to in paragraph 2 by the time-limits set out therein, all discharges from urban wastewater treatment plants treating a load of 35 000 p.e. and above shall be subject to quaternary treatment in accordance with paragraph 5.

Amendment 102

Proposal for a directive Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Without prejudice to paragraph 1, by... [five years after the entry into force of this Directive] Member States shall ensure that for 50 % of the agglomerations of between 100 000 p.e. and 150 000 p.e., urban wastewater entering collecting systems is subject to quaternary treatment in accordance with paragraph 5 before discharge into areas included in a list referred to in paragraph 2.

By... [ten years after the entry into force of this Directive] Member States shall ensure that urban wastewater entering collecting systems is subject to quaternary treatment in accordance with paragraph 5 before discharge into areas included in a list referred to in paragraph 2 with regard to all agglomerations of between 100 000 p.e. and 150 000 p.e.

Amendment 103

Proposal for a directive Article 8 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

By 31 December 2035, Member States shall ensure that for 50 % of the

Without prejudice to paragraph 1, by... [ten years after the entry into force of this

agglomerations of between **10 000** p.e and **100 000 p.e.**, urban wastewater entering collecting systems is subject to quaternary treatment in accordance with paragraph 5 before discharge into areas included in a list referred to in paragraph 2.

Directive], Member States shall ensure that for 50 % of the agglomerations of between **35 000** p.e and **above**, urban wastewater entering collecting systems is subject to quaternary treatment in accordance with paragraph 5 before discharge into areas included in a list referred to in paragraph 2.

Amendment 104

Proposal for a directive

Article 8 – paragraph 4 – subparagraph 2

Text proposed by the Commission

By **31 December 2040**, Member States shall ensure that urban wastewater entering collecting systems is subject to quaternary treatment in accordance with paragraph 5 before discharge into areas included in a list referred to in paragraph 2 with regard to all agglomerations of between **10 000** p.e and **100 000 p.e.**

Amendment

By... ***[fifteen years after the entry into force of this Directive]***, Member States shall ensure that urban wastewater entering collecting systems is subject to quaternary treatment in accordance with paragraph 5 before discharge into areas included in a list referred to in paragraph 2 with regard to all agglomerations of between **35 000** p.e and **above**.

Amendment 105

Proposal for a directive

Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Discharges from urban wastewater treatment plants of 35 000 p.e. and above into a catchment area of an area included in a list referred to in paragraph 2 shall also be subject to paragraphs 3 and 4.

Amendment 106

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Parts B and D of Annex I in order to adapt the requirements and methods referred to in the ***second*** subparagraph to technological and scientific progress.

Amendment

The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Parts B and D of Annex I in order to adapt the requirements and methods referred to in the ***first*** subparagraph to technological and scientific progress.

Amendment 107

Proposal for a directive

Article 9 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall ***take measures to*** ensure that producers who place any of the products listed in Annex III on the market have extended producer responsibility.

Amendment

Member States shall ensure that producers who place any of the products listed in Annex III on the market have extended producer responsibility.

Amendment 108

Proposal for a directive

Article 9 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Extended producer responsibility shall be complemented by national financing set up for the upgrade of urban wastewater treatment plants in order to ensure there are no unintended consequences for the availability, affordability and accessibility of vital products, in particular medicines, identified with the assistance of EMA and the ECHA, and to ensure sufficient funds are available to operators. The national funding shall not amount to more than 20% and shall not undermine the polluter pays principle.

Amendment 109

Proposal for a directive

Article 9 – paragraph 1 – subparagraph 2 – introductory part

Text proposed by the Commission

Amendment

Such measures shall ***ensure that those producers*** cover:

Extended producer responsibility and national financing shall cover:

Amendment 110

Proposal for a directive

Article 9 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) the full costs for complying with the requirements set out in Article 8, including the costs for the quaternary treatment of urban wastewater to remove micro-pollutants resulting from the products and their residues they place on the market, for the monitoring of micro-pollutants referred to in Article 21(1), point (a); and

(a) the full costs for complying with the requirements set out in Article 8, including the costs for the quaternary treatment (***CAPEX and OPEX***) of urban wastewater to remove micro-pollutants ***that cannot be removed by primary, secondary or tertiary treatment***, resulting from the products and their residues they place on the market, for the monitoring of micro-pollutants referred to in Article 21(1), point (a); and

Amendment 111

Proposal for a directive

Article 9 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

(c) other costs required to exercise ***their*** extended producer responsibility.

(c) other costs required to exercise ***the*** extended producer responsibility.

Amendment 112

Proposal for a directive

Article 9 – paragraph 1 a (new)

1a. *Based on the results of the monitoring required under Article 21, the Commission shall review every five years the list of products set out in Annex 3. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to supplement this Directive by extending the list of products covered by Annex 3.*

Amendment 113

Proposal for a directive Article 9 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. *Extended producer responsibility applies regardless of whether the products placed on the market or individual components thereof were manufactured in a Member State or third country, or whether the producers have a registered office in the Union or the product is placed on the market via a digital platform.*

Amendment 114

Proposal for a directive Article 9 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. *Member States may add other sectors based on the evidence of the presence of the micro-pollutants produced by this sector.*

Amendment 115

Proposal for a directive

Article 9 – paragraph 2 – point a

Text proposed by the Commission

(a) the quantity of the product they place on the market is below 2 tonnes per year;

Amendment

(a) the quantity of the product they place on the **Union** market is below 2 tonnes per year;

Amendment 116

Proposal for a directive

Article 9 – paragraph 2 – point b

Text proposed by the Commission

(b) the products they place on the market do not generate micro-pollutants in wastewaters at the end of their life.

Amendment

(b) the products they place on the market ***are rapidly biodegradable in accordance with Part 4.1.2.9.5 of Annex I to Regulation (EC) 1272/2008^{1a} in wastewaters or*** do not generate micro-pollutants in wastewaters at the end of their life.

^{1a} Regulation EC 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures (OJ L 353 31.12.2008, p 1).

Amendment 117

Proposal for a directive

Article 9 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the substances in products placed on the market are rapidly biodegradable in aquatic conditions, in accordance with Part 4.1.2.9.5 of Annex I to Regulation (EC) 1272/2008 ^{1a}.

^{1a} Regulation (EC) 1272/2008 of the European Parliament and of the Council

on classification, labelling and packaging of substances and mixtures (OJ L 353 31.12.2008, p 1).

Amendment 118

Proposal for a directive Article 9 – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt implementing acts to establish detailed criteria on the uniform application of the condition laid down in paragraph 2, point (b) to specific categories of products. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).

Amendment

3. The Commission is empowered to adopt implementing acts to establish detailed criteria on the uniform application of the condition laid down in paragraph 2, point (b) to specific categories of products. Those implementing acts shall be adopted ***no later than... [the date of application of Article 8(1)]*** in accordance with the examination procedure referred to in Article 28(2).

Amendment 119

Proposal for a directive Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission shall facilitate the exchange of best practices among Member States on the establishment of the extended producer responsibility scheme.

Amendment 120

Proposal for a directive Article 9 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that producers referred to in paragraph 1 exercise their

Amendment

Member States shall ensure that producers referred to in paragraph 1 exercise their

extended producer responsibility collectively by adhering to a producer responsibility organisation.

extended producer responsibility collectively by adhering to a producer responsibility organisation *or that an established organisation enables such producers to fulfil their obligations.*

Amendment 121

Proposal for a directive

Article 9 – paragraph 4 – subparagraph 2 – point a – point ii

Text proposed by the Commission

Amendment

(ii) information on the ***hazardouness*** of the products referred to in point (i) in the wastewaters at the end of their life;

(ii) information on the ***hazardousness*** of the products referred to in point (i) in the wastewaters ***and on their biodegradability*** at the end of their life;

Amendment 122

Proposal for a directive

Article 9 – paragraph 5 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the financial contribution of the producers is earmarked for the costs mentioned in paragraph 1, and the treatment plant operators can access the funds according to their investment cycles and needs.

Amendment 123

Proposal for a directive

Article 9 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Member States shall ensure that the requirements for the extended producer responsibility scheme and extended producer responsibility organisations set out under Articles 9 and

10 are met before the implementation of the requirements for quaternary treatment set out under Articles 8 (1), (4) and (5) starts.

Amendment 124

Proposal for a directive

Article 10 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) agrees on detailed rules onburden-sharing taking into account factors such as the quantity of micro-pollutants in the product.

Amendment 125

Proposal for a directive

Article 10 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States shall take the necessary measures to inform consumers about waste prevention measures, take-back and collection systems, and the impact of inappropriate means of waste disposal of the products listed in Annex III on the collection, treatment, and discharge of wastewater.

Amendment 126

Proposal for a directive

Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall establish an adequate monitoring and enforcement framework to ensure that producer responsibility organisations **fulfill** their

2. Member States shall establish an adequate monitoring and enforcement framework to ensure that producer responsibility organisations **fulfil** their

obligations, that the financial means of producer responsibility organisations are properly used and that all actors having extended producer responsibility report reliable data to the competent authorities and, when requested, to the producer responsibility organisations.

obligations ***in a transparent manner***, that the financial means of producer responsibility organisations are properly used, ***that Member States may consult PROs and shall make any investment in the wastewater treatment plants independently of the producer responsibility organisations*** and that all actors having extended producer responsibility report reliable data to the competent authorities and, when requested, to the producer responsibility organisations. ***The competent authorities shall communicate and exchange the necessary data with other competent authorities on a regular basis, at least every six months, in order to fulfil the requirements.***

Amendment 127

Proposal for a directive Article 10 – paragraph 4

Text proposed by the Commission

4. Member State shall ensure that the producers established on the territory of another Member State and placing products on its market:

(a) appoint a legal or natural person established on its territory as an authorised representative for the purposes of fulfilling the extended producer responsibility obligations on its territory; ***or***

(b) ***take equivalent measures to point (a).***

Amendment

4. Member State shall ensure that the producers established on the territory of another Member State ***or in a third country***, and placing products on its market appoint a legal or natural person established on its territory as an authorised representative for the purposes of fulfilling the extended producer responsibility obligations ***of this Directive*** on its territory.

Amendment 128

Proposal for a directive
Article 10 – paragraph 5 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The dialogue referred to in the first subparagraph shall in particular be such as to allow the identification and implementation of measures to make the extended producer and polluter responsibility as economically efficient as possible, such as measures to reduce the micro-pollutant pressure on wastewater, as well as the choice of the most appropriate technology in quaternary treatment and in order to prevent any unintended consequences for the affordability, accessibility and availability of medicinal products.

Amendment 129

Proposal for a directive
Article 10 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Associations representing wastewater treatment plant operators shall have observer status within the extended producer responsibility organisations.

Amendment 130

Proposal for a directive
Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Member States shall ensure that energy audits of urban wastewater treatment plants and collecting systems are carried out every four years. Those audits shall be carried out in accordance with Article 8 of Directive 2012/27/EU and

1. Member States shall ensure that energy audits of urban wastewater treatment plants and collecting systems are carried out every four years. Those audits shall be carried out in accordance with Article 8 of Directive 2012/27/EU and

include an identification of the potential for cost-effective use or production of renewable energy, **with** a particular focus to identify and utilise the potential for biogas production, while reducing methane emissions. The first audits shall be carried out:

Article 11 of Directive (...) on energy efficiency (recast) and, using digital instruments where feasible, include an identification of the potential for cost-effective use, **reduction of energy consumption, recovery and use of waste heat either onsite or via a district system** or production of renewable energy. A particular focus to identify and utilise the potential for biogas production, while reducing methane **and nitrous oxide** emissions. The first audits shall be carried out:

Amendment 131

Proposal for a directive

Article 11 – paragraph 1 – point a

Text proposed by the Commission

(a) **by 31 December 2025** for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;

Amendment

(a) by... **[24 months after the entry into force of this Directive]** for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;

Amendment 132

Proposal for a directive

Article 11 – paragraph 1 – point b

Text proposed by the Commission

(b) **by 31 December 2030** for urban wastewater treatment plants treating a load of between 10 000 p.e. and 100 000 p.e. and the collecting systems connected to them.

Amendment

(b) by... **[48 months after the entry into force of this Directive]** for urban wastewater treatment plants treating a load of between 10 000 p.e. and 100 000 p.e. and the collecting systems connected to them.

Amendment 133

Proposal for a directive

Article 11 – paragraph 2 – introductory part

Text proposed by the Commission

2. Member States shall ensure that the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, **produced** at national level by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least:

Amendment

2. Member States shall ensure that the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, **generated** at national level **on- or off-site** by urban wastewater treatment plants treating a load of 10 000 p.e. and above **and independently if it is used on- or off-site the urban wastewater treatment plant by their owners or operators**, is equivalent to at least:

Amendment 134

Proposal for a directive

Article 11 – paragraph 2 – point a

Text proposed by the Commission

(a) 50 % of the total annual energy used by such plants by 31 December **2030**;

Amendment

(a) 50 % of the total annual energy used by such plants by 31 December **2033**;

Amendment 135

Proposal for a directive

Article 11 – paragraph 2 – point b

Text proposed by the Commission

(b) 75 % of the total annual energy used by such plants by 31 December **2035**;

Amendment

(b) 75 % of the total annual energy used by such plants by 31 December **2036**;

Amendment 136

Proposal for a directive

Article 11 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall facilitate

approval procedures for the development of renewable production for use by wastewater treatment plants in accordance with Directive (EU) 2018/2001.

Amendment 137

Proposal for a directive Article 11 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. *By way of derogation, if a Member State does not reach 100 % of energy neutrality on a national level for urban wastewater treatment plants treating a load of 10 000 p.e. and above, despite having implemented all energy efficiency measures as set out in the energy audits in paragraph 1 of this Article, and is not able to increase energy production on-or-off site wastewater treatment plants as set out in paragraph 2 of this Article, Member States may exceptionally allow the purchase of renewable energy from external sources through power purchase agreements for the remaining percentage, up to a maximum of 25 %, provided all of the above conditions are met.*

Amendment 138

Proposal for a directive Article 11 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. *The Commission shall propose by 31 December 2025 a methane emission reductions roadmap for 2030. Member States shall ensure that the wastewater treatment sector is climate neutral by 2050.*

Amendment 139

Proposal for a directive

Article 12 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This notification shall be immediate in case of **incidental** pollution that may significantly affect downstream water bodies.

Amendment

This notification shall be immediate in case of pollution that may significantly affect downstream water bodies. ***The notification shall also be sent to relevant catchment stakeholders, such as drinking water operators. In the event of any discharge affecting health or the environment in another Member State, the Member State in whose territory the discharge has occurred shall ensure that the competent authority of the other Member State and the Commission are immediately informed.***

Amendment 140

Proposal for a directive

Article 12 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Member States shall respond to each other in a timely manner, and no later than one month after notification by another Member State in accordance with paragraph 1.

Amendment 141

Proposal for a directive

Article 12 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

The Member States concerned shall cooperate in order to identify the discharges in question and the measures to be taken at source to protect the waters that

The Member States concerned shall cooperate in order to identify the discharges in question, ***where applicable, in line with the relevant water pollutants***

are affected in order to ensure conformity with this Directive.

legislation and the measures to be taken at source to protect the waters that are affected in order to ensure conformity with this Directive.

Amendment 142

Proposal for a directive

Article 14 – paragraph 1 – subparagraph 2 – point b

Text proposed by the Commission

(b) allows the operators of collecting systems and urban wastewater treatment plants receiving non-domestic wastewater discharge to consult the specific authorisations **granted** in their catchment areas **on request**.

Amendment

(b) allows the operators of collecting systems and urban wastewater treatment plants receiving non-domestic wastewater discharge to consult the specific authorisations in their catchment areas **prior to them being granted;**

Amendment 143

Proposal for a directive

Article 14 – paragraph 1 – subparagraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) ensures that the operator that discharges the non-domestic wastewater, fulfils all of the following requirements:

(i) the released polluting substances do not impede the operation of the wastewater treatment plant or the capacity to recover resources;

(ii) the released polluting substances do not harm the health of the staff working in collecting systems and wastewater treatment plants;

(iii) the wastewater treatment plant is designed and equipped to abate the released polluting substances;

Amendment 144

Proposal for a directive

Article 14 – paragraph 1 – subparagraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(bb) does not grant the specific authorisation when the non-domestic discharge is a risk for water bodies used for abstraction of water intended for human consumption, as defined in Article 2, point (1), of Directive (EU) 2020/2184;

Amendment 145

Proposal for a directive

Article 14 – paragraph 1 – subparagraph 2 – point b c (new)

Text proposed by the Commission

Amendment

(bc) such procedures do not delay the granting of the specific authorisation unduly.

Amendment 146

Proposal for a directive

Article 14 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. Member States shall take the appropriate measures, including a review of the specific authorisation, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 where any of the following situations arise:

2. Member States shall take the appropriate measures, including a review **and, where necessary, revocation** of the specific authorisation, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 where any of the following situations arise:

Amendment 147

Proposal for a directive

Article 14 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;

(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741 ***or reused for purposes other than agricultural purposes;***

Amendment 148

Proposal for a directive

Article 14 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. In the event of an incident or accident affecting operators of urban wastewater treatment plants, the competent authority shall require the operator holding specific authorisation to take any appropriate complementary measures that the competent authority considers necessary to limit the environmental consequences and to prevent further possible incidents or accidents. The competent authority shall inform the operators of wastewater treatment plans, including any transboundary wastewater operators that are affected, of the measures taken to prevent or remedy damage caused by that pollution to health and the environment.

Amendment 149

Proposal for a directive

Article 15 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall systematically promote the reuse of treated wastewater from all urban wastewater treatment plants. Where treated wastewater is reused for agricultural irrigation, it shall comply with the requirements established under

1. Member States shall systematically promote the reuse of treated wastewater from all urban wastewater treatment plants, ***especially in water-stressed areas and for industrial purposes, if there is no adverse effect for the environment and health risk***

management measures have been implemented. The needs for water reuse shall be assessed having regard to national river basin management plans established under the Water Framework Directive 2000/60/EC. Member States shall ensure that the reuse of wastewater does not endanger the ecological flow in the receiving waters when planning reuse purposes. Where treated wastewater is reused for agricultural irrigation, it shall comply with the requirements established under Regulation (EU) 2020/741.

Amendment 150

Proposal for a directive Article 15 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In order to promote the circular economy, tertiary treatment requirements as set out in Article 7 and Table 2 of Part B of Annex I shall temporarily not apply to reclaimed water that is exclusively destined for reuse in agricultural irrigation thereby reducing the need to add nitrogen and phosphorus to to water used for irrigation.

The reuse of reclaimed water for agricultural purposes as mentioned in the first subparagraph shall be allowed only if all of the following conditions are met:

- (a) there is no risk to health or the environment, including eutrophication;***
- (b) the reclaimed water complies with the requirements laid down in Regulation (EU) 2020/741;***
- (c) additional monitoring of micropollutants and micro-plastics is carried out in reclaimed urban wastewater;***
- (d) the minimum ecological flow of the receiving water bodies is not***

endangered;

(e) there is sufficient treatment or storage capacity for all incoming urban wastewaters for periods when urban wastewater is not reused in agriculture.

When the derogation referred to in the first subparagraph is used, quaternary treatment shall apply to the reused urban wastewater in accordance with Article 8.

Amendment 151

Proposal for a directive

Article 15 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Unless Member States have already developed comparable national water strategies, by ... [please insert the date 24 months after the date of entry into force of this Directive], Member States shall establish, in consultation with the Commission and the relevant stakeholders, including government agencies and regional and local governments, water utilities, industry, non-governmental organisations, and academia, a National Water Saving and Reuse plan that:

(a) identifies sets of actions needed to ensure the security, sustainability, and resilience of the Member States' respective water resources or transboundary water resources shared with another Member State or a third country;

(b) defines national objectives and action plans in the defined areas, as listed in point (a), including for water reuse and water saving without prejudice to Article 2 of Regulation (EU) 2020/741, taking account of climate change projections on the availability of water, where treated urban wastewater is discharged;

(c) provides a description of the implementing measures to achieve the objectives, including the financial means associated.

Amendment 152

Proposal for a directive Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall take all necessary measures to anticipate and adapt their urban wastewater collection and treatment infrastructure to address increased loads of domestic wastewater, including the construction of new infrastructure where necessary. All precautionary measures shall be taken to avoid deterioration of the ecological and chemical status of affected water bodies.

Member States shall be considered to comply with the objectives set out in Directive 2000/60/EC if all of the following criteria are met:

(a) alternative ways of addressing the increase in domestic wastewater loads and run off loads, including the consideration of alternative points of discharge, would not produce more environmental benefits or they would involve excessive cost;

(b) all technically feasible mitigation measures are set out in the authorisation of a wastewater treatment plant referred to in Articles 14 and 15 and effectively implemented to minimise the impacts from urban wastewater on the affected water bodies including, where so required, more stringent emission controls, with the aim of meeting the objectives set out in Directive 2000/60/EC and the environmental quality standards set in accordance with Directive 2008/105/EC.

Compliance with the criteria referred to in the second subparagraph shall be

demonstrated in the relevant River Basin Management Plans developed under Directive 2000/60/EC.

Amendment 153

Proposal for a directive Article 15 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. Where an environmental quality standard requires stricter conditions than those set out in Part A and B of Annex I, additional measures shall be included in the specific authorisation, without prejudice to other measures which may be taken to comply with environmental quality standards.

Amendment 154

Proposal for a directive Article 17 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.

(f) any other public health parameters, **such as *E-Coli* or *legionella***, that are considered relevant by **the *European Centre for Disease Prevention and Control (ECDC)*** or the competent authorities of the Member States for monitoring.

Amendment 155

Proposal for a directive Article 17 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. For the purpose of paragraph 1, Member States shall set up a national

2. For the purpose of paragraph 1, Member States shall set up a national

system for permanent cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:

system for permanent cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment, ***using digital tools and technologies as appropriate***, with regard to:

Amendment 156

Proposal for a directive

Article 17 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the clear allocation of roles, responsibilities and costs among operators and relevant competent authorities, including where related to sampling and analysis;

Amendment 157

Proposal for a directive

Article 17 – paragraph 2 – point a b (new)

Text proposed by the Commission

Amendment

(ab) the specification of responsibilities of involved competent authorities, urban wastewater treatment plant operators and other relevant actors, where additional costs for sampling and analysis resulting from the obligations under this Article shall not be allocated to the urban waste water treatment plant operators;

Amendment 158

Proposal for a directive

Article 17 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with paragraph 1, **taking** into account the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;

(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with paragraph 1, **whereas the carrying out of sampling is the responsibility of the authorities responsible for urban wastewater treatment and the carrying out of analyses is the responsibility of the authorities responsible for public health. This shall take** into account the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations.

Amendment 159

Proposal for a directive

Article 17 – paragraph 2 – point c

Text proposed by the Commission

(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union platforms, where such platforms are available.

Amendment

(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union platforms, where such platforms are available, **and to the drinking water companies.**

Amendment 160

Proposal for a directive

Article 17 – paragraph 3 – subparagraph 1

Text proposed by the Commission

When a public health emergency **due to SARS-CoV-2** is declared by the competent authority responsible for public health in the Member State, **the presence of SARS-CoV-2 and its variants shall be monitored in** urban wastewaters from at least 70 % of the national population and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more.

Amendment

When a public health emergency is declared by the competent authority responsible for public health in the Member State, urban wastewaters from at least 70 % of the national population **shall be monitored**, and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until this competent

This monitoring shall continue until this competent authority declares that the public health emergency *due to SARS-CoV-2* has ended.

authority declares that the public health emergency has ended.

Amendment 161

Proposal for a directive

Article 17 – paragraph 4 – subparagraph 1

Text proposed by the Commission

For agglomerations of 100 000 p.e. and above, Member States shall, by 1 January **2025**, ensure that antimicrobial resistance is monitored at least twice a year at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.

Amendment

For agglomerations of 100 000 p.e. and above, Member States shall, by 1 January **2025**, ensure that antimicrobial resistance is monitored at least twice a year at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems. ***Member States shall encourage additional antimicrobial resistance monitoring when suitable technologies are available at a cost-effective rate.***

Amendment 162

Proposal for a directive

Article 17 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The Commission shall adopt ***implementing*** acts in accordance with the procedure referred to in Article **28 to ensure an uniform application of** this Directive by establishing a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.

Amendment

By 31 December 2025, the Commission shall adopt ***delegated*** acts in accordance with the procedure referred to in Article **27 to supplement** this Directive by establishing a harmonised methodology for measuring antimicrobial resistance in urban wastewaters, ***taking into account data from national public health authorities and national authorities responsible for monitoring antimicrobial resistance.***

Amendment 163

Proposal for a directive

Article 18 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [OP please insert the date = the last day of the second year after the date of entry in force of this Directive], Member States shall identify the risks caused by urban wastewater discharges to the environment and **human** health and at least those related to the following:

Amendment

1. By [OP please insert the date = the last day of the second year after the date of entry in force of this Directive], Member States shall identify the risks caused by urban wastewater discharges to the environment and health, **taking into account seasonal fluctuations and extreme events** and at least those related to the following:

Amendment 164

Proposal for a directive

Article 18 – paragraph 1 – point c

Text proposed by the Commission

(c) the good ecological status of a water body as defined in Article 2, point (22), of Directive 2000/60/EC;

Amendment

(c) the good ecological status of a water body as defined in Article 2, point (22), **the good chemical status of a surface water body as defined in Article 2, (point 24) and the good chemical status of a groundwater body as defined in Article 2, point (25)** of Directive 2000/60/EC;

Amendment 165

Proposal for a directive

Article 18 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) the good environmental status of the marine environment as defined in point 5 of Article 3 of Directive 2008/56/EC.

Amendment 166

Proposal for a directive

Article 18 – paragraph 2 – introductory part

Text proposed by the Commission

2. Where risks have been identified in accordance with paragraph 1, Member States shall adopt appropriate measures to address them, which ***shall*** include ***where appropriate*** the following measures:

Amendment

2. Where risks have been identified in accordance with paragraph 1, Member States shall adopt appropriate measures to address them, which ***may*** include the following measures:

Amendment 167

Proposal for a directive

Article 18 – paragraph 2 – point -a (new)

Text proposed by the Commission

Amendment

(–a) preventive measures in addition to the measures provided for or taken in accordance with Article 11(3) of Directive 2000/60/EC, where required to safeguard the quality of the water body; Member States shall promote control at source to prevent pollution in urban wastewater, in line with Article 191(2) of the Treaty on the Functioning of the European Union.

Amendment 168

Proposal for a directive

Article 18 – paragraph 2 – point a

Text proposed by the Commission

(a) establishing collecting systems in accordance with Article 3 for agglomerations with a p.e. of less than ***1 000***;

Amendment

(a) establishing collecting systems in accordance with Article 3 for agglomerations with a p.e. of less than ***750***;

Amendment 169

Proposal for a directive

Article 18 – paragraph 2 – point b

Text proposed by the Commission

(b) applying secondary treatment in accordance with Article 6 to discharges of urban wastewater from agglomerations with a p.e. of less than **1 000**;

Amendment

(b) applying secondary treatment in accordance with Article 6 to discharges of urban wastewater from agglomerations with a p.e. of less than **750**;

Amendment 170

Proposal for a directive Article 18 – paragraph 3

Text proposed by the Commission

3. The identification of the risks carried out in accordance with paragraph 1 of this Article shall be reviewed every **5** years. A summary of the identified risks accompanied with a description of the measures adopted in accordance with paragraph 2 of this Article shall be included in the national implementation programmes referred to in Article 23 and communicated to the Commission on request .

Amendment

3. The identification of the risks carried out in accordance with paragraph 1 of this Article shall be reviewed every **6** years ***and aligned with the timing of the review of the River Basin Management Plans developed under Directive 2000/60/EC.*** A summary of the identified risks accompanied with a description of the measures adopted in accordance with paragraph 2 of this Article shall be included in the national implementation programmes referred to in Article 23 and communicated to the Commission on request. ***That summary shall be made available to the public.***

Amendment 171

Proposal for a directive Article 19 – paragraph 1

Text proposed by the Commission

Member States shall take all necessary measures to **improve** access to sanitation for all, in particular for vulnerable and marginalised groups.

Amendment

Without prejudice to the principles of subsidiarity and proportionality, whilst taking into account local and regional perspectives and circumstances for sanitation, Member States shall take all necessary measures to **ensure** access to sanitation for all, in particular for

vulnerable and marginalised groups.

Amendment 172

Proposal for a directive Article 19 – paragraph 2

Text proposed by the Commission

For that purpose, Member States shall by 31 December **2027**:

Amendment

For that purpose, Member States shall by 31 December **2030**:

Amendment 173

Proposal for a directive Article 19 – paragraph 2 – point a

Text proposed by the Commission

(a) identify categories of people without access, or with limited access, to sanitation facilities, **including** vulnerable and marginalised groups, and provide reasons for such lack of access;

Amendment

(a) identify categories of people without access, or with limited access, to sanitation facilities, **paying special attention to** vulnerable and marginalised groups, and provide reasons for such lack of access;

Amendment 174

Proposal for a directive Article 19 – paragraph 2 – point b

Text proposed by the Commission

(b) assess the possibilities **for improving** access to sanitation facilities for the categories of people referred to in point (a);

Amendment

(b) assess the possibilities for **and improve** access to sanitation facilities for the categories of people referred to in point (a);

Amendment 175

Proposal for a directive Article 19 – paragraph 2 – point c

Text proposed by the Commission

(c) for all agglomerations of **10 000** p.e. and above, encourage the establishment of a sufficient number of sanitation facilities in public spaces, which are freely and, in particular for women, safely accessible.

Amendment

(c) for all agglomerations of **5000** p.e. and above, encourage the establishment of a sufficient number of sanitation facilities in public spaces, which are freely and, in particular for women, safely accessible;

Amendment 176

Proposal for a directive

Article 19 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) encourage competent authorities to make available free sanitation facilities in public buildings, in particular in administrative buildings, and encourage the making available of sanitation facilities for all, for free or for a low service fee, in restaurants, shops and similar private spaces;

Amendment 177

Proposal for a directive

Article 19 – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(cb) take additional measures that they consider necessary and appropriate to ensure that there is access to sanitation for all.

Amendment 178

Proposal for a directive

Article 20 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that sludge management routes are conform to the waste hierarchy provided for in Article 4 of Directive 2008/98/EC. Such routes shall maximize prevention, re-use and recycling of resources and ***minimize the*** adverse effects ***on*** the environment.

Amendment

1. Member States shall take the necessary measures to ensure that sludge management routes are conform to the waste hierarchy provided for in Article 4 of Directive 2008/98/EC. Such routes shall maximize prevention, re-use and recycling of resources and ***ensure that there are no*** adverse effects ***to health or*** the environment.

Amendment 179

**Proposal for a directive
Article 20 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

1a. Member States shall set a strict national quality standard for sludge to be further reused, in line with Council Directive 86/278/EEC (the ‘Sewage Sludge Directive’), with additional requirements on micro-plastics, to make sure that its use is safe for health, especially in case of further use in agriculture.

Amendment 180

**Proposal for a directive
Article 20 – paragraph 1 b (new)**

Text proposed by the Commission

Amendment

1a. Member States shall consider all possible options of extracting valuable resources from sewage sludge and wastewater that are safe for health and environment in order to ensure circular economy, including recovery and recycling of phosphorus, to consolidate the resilience and sustainability of the agricultural sector and contribute to the strategic autonomy of the EU fertiliser

industry.

Amendment 181

Proposal for a directive Article 20 – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out the minimum reuse and recycling rates for phosphorus and nitrogen from sludge, in order to take into account available technologies for phosphorus and nitrogen recovery in sludge.

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out the minimum reuse and recycling rates for phosphorus and nitrogen from **urban wastewater and** sludge, in order to take into account available technologies for phosphorus and nitrogen recovery in **wastewater and** sludge **and by setting out rules for safe sludge management ensuring there are no adverse effects on health or the environment. The Commission shall adopt those delegated acts by ... [date of the last day of the year after the end of the transposition period for this Directive].**

Amendment 182

Proposal for a directive Article 20 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States may take measures to encourage the purchasing of recovered nutrients from urban wastewater and sludge. The Commission shall promote enabling legislative frameworks for the development of a functional market for recovered phosphorus and nitrogen.

Amendment 183

Proposal for a directive
Article 21 – paragraph 1 – point c

Text proposed by the Commission

(c) the destination of the treated urban wastewater including the share of reused water;

Amendment

(c) the destination of the treated urban wastewater including the share of reused water, ***including monitoring that, where the treated wastewater discharges into a water body, minimal ecological flow is ensured at all times;***

Amendment 184

Proposal for a directive
Article 21 – paragraph 1 – point d

Text proposed by the Commission

(d) the greenhouse ***gases*** produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e.

Amendment

(d) the ***direct and indirect*** greenhouse ***gas emissions*** produced ***by all operational activities of the urban wastewater treatment plant*** and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e. ***The monitoring shall also include detection of leaks of methane and untreated wastewater from collecting systems;***

Amendment 185

Proposal for a directive
Article 21 – paragraph 2

Text proposed by the Commission

2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities monitor the concentration and loads of pollutants ***from storm water overflows and urban runoff*** discharged into water bodies .

Amendment

2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities ***or appropriate bodies*** monitor ***the frequency and volume of storm water overflows and urban runoff*** and the concentration and loads of pollutants discharged into water bodies.

Amendment 186

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 1 – point a – introductory part

Text proposed by the Commission

Amendment

(a) pollutants listed in:

(a) **relevant** pollutants listed in:

Amendment 187

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) parameters listed in **Part B** of Annex III to Directive (EU) 2020/2184, where urban wastewater is discharged in a catchment area referred to in Article 8 of that Directive;

(b) parameters listed in **Parts A and B** of Annex III to Directive (EU) 2020/2184, where urban wastewater is discharged in a catchment area referred to in Article 8 of that Directive;

Amendment 188

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the presence of Per- and polyfluoroalkyl substances (PFAS) and chlorothalonil in line with Directive (EU) 2020/2184 on the quality of water intended for human consumption and Directive 2008/105/EC on environmental quality standards in the field of water policy;

Amendment 189

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

For all agglomerations of above 10 000 p.e., Member States shall monitor the presence of micro-plastics in the sludge.

For all agglomerations of above 10 000 p.e., Member States shall monitor the presence of ***micro-pollutants and*** micro-plastics in the sludge.

Amendment 190

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The Commission shall, where appropriate, submit a legislative proposal, accompanied by an impact assessment, in line with its initiative on “Microplastics pollution - measures to reduce its impacts on the environment”.

Amendment 191

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 3 – point b

Text proposed by the Commission

Amendment

(b) at least one sample ***every 2 years*** for agglomerations of between 10 000 p.e. and 100 000 p.e.

(b) at least one sample ***annually*** for agglomerations of between 10 000 p.e. and 100 000 p.e.

For all agglomerations of above 10 000 p.e., Member States shall perform a broad chemical screening annually, including chemical mixtures, in order to identify substances that cause concern for aquatic life, drinking or bathing water quality or that indicate non-compliant discharges for industry discharges to sewers.

Amendment 192

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 4

Text proposed by the Commission

Amendment

The Commission ***is empowered to*** adopt ***implementing*** acts in accordance with the procedure referred to in Article ***28 to ensure a uniform application of*** this Directive by establishing a methodology for measuring micro-plastics in urban wastewater and sludge.

By 30 June 2025, the Commission ***shall*** adopt ***delegated*** acts in accordance with the procedure referred to in Article ***27 to supplement*** this Directive by establishing a methodology for measuring micro-plastics in urban wastewater and sludge.

Amendment 193

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 4 a (new)

Text proposed by the Commission

Amendment

Member States are encouraged to continue using the Union funding available to enable an equally good level of water as a strategic sector. Member States are equally encouraged to exchange best practices on how to improve absorption of Union Funds.

Amendment 194

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 4 b (new)

Text proposed by the Commission

Amendment

By 30 June 2025, the Commission shall adopt delegated acts in accordance with the procedure referred to in Article 27 to supplement this Directive by establishing a methodology for measuring per- and polyfluoroalkyl substances (PFAS) in urban wastewater and sludge.

Amendment 195

Proposal for a directive

Article 21 – paragraph 3 – subparagraph 4 c (new)

By ... [two years after the entry into force of this Directive], the Commission shall establish Union-wide technical guidelines and harmonised standards for continuous and precise, and where possible online, pollution monitoring systems for water quality measurements.

Amendment 196

Proposal for a directive

Article 22 – paragraph 1 – point a

Text proposed by the Commission

(a) by 31 December **2025**, set up a data set containing information collected in accordance with Article 21 including information concerning the parameters referred to in Article 21(1), point (a), and the results of the tests with regard to the pass/fail criteria established in Part D of Annex I and update that data set annually thereafter;

Amendment

(a) by 31 December **2026**, set up a data set containing information collected in accordance with Article 21 including information concerning the parameters referred to in Article 21(1), point (a), and the results of the tests with regard to the pass/fail criteria established in Part D of Annex I and update that data set annually thereafter

Amendment 197

Proposal for a directive

Article 22 – paragraph 1 – point b

Text proposed by the Commission

(b) by 31 December **2025**, set up a data set indicating the percentage of urban wastewater which is collected and treated in accordance with Article 3 and update that data set annually thereafter;

Amendment

(b) by 31 December **2026**, set up a data set indicating the percentage of urban wastewater which is collected and treated in accordance with Article 3 and update that data set annually thereafter;

Amendment 198

Proposal for a directive

Article 22 – paragraph 1 – point c

Text proposed by the Commission

(c) by 31 December **2025**, set up a data set containing information on measures taken to implement Article 4(4) and on the percentage of the urban wastewater load from agglomerations above 2 000 p.e. which is treated in individual systems and update that data set annually thereafter;

Amendment

(c) by 31 December **2026**, set up a data set containing information on measures taken to implement Article 4(4) and on the percentage of the urban wastewater load from agglomerations above 2 000 p.e. which is treated in individual systems and update that data set annually thereafter;

Amendment 199

Proposal for a directive

Article 22 – paragraph 1 – point d

Text proposed by the Commission

(d) by 31 December **2025**, set up a data set containing information on the number of samples collected and the number of samples taken in accordance with Part D of Annex I that have failed;

Amendment

(d) by 31 December **2026**, set up a data set containing information on the number of samples collected and the number of samples taken in accordance with Part D of Annex I that have failed;

Amendment 200

Proposal for a directive

Article 22 – paragraph 1 – point e

Text proposed by the Commission

(e) by 31 December **2025**, set up a data set containing information on **green house** gas emissions with a breakdown between different gasses and on the total energy used and renewable energy produced by each urban wastewater treatment plant of 10 000 p.e. and above as well as a calculation of the percentage of achievement of the targets set out in Article 11(2) and update that data set annually thereafter;

Amendment

(e) by 31 December **2027**, set up a data set containing information on **all direct and indirect greenhouse** gas emissions **from all operational activities** with a breakdown between different gasses, **including methane and nitrous oxide, emission sources**, and on the total energy used and renewable energy produced by each urban wastewater treatment plant of 10 000 p.e. and above as well as a calculation of the percentage of achievement of the targets set out in Article 11(2) and update that data set annually thereafter;

Amendment 201

Proposal for a directive

Article 22 – paragraph 1 – point f

Text proposed by the Commission

(f) by 31 December **2025**, set up a data set containing information on measures taken in accordance with point 3 of Annex V and update that data set annually thereafter;

Amendment

(f) by 31 December **2027**, set up a data set containing information on measures taken in accordance with point 3 of Annex V and update that data set annually thereafter;

Amendment 202

Proposal for a directive

Article 22 – paragraph 1 – point g

Text proposed by the Commission

(g) by 31 December **2025**, set up a data set containing the monitoring results referred to in accordance with Article 17(1) and (4) and update that data set annually thereafter;

Amendment

(g) by 31 December **2027**, set up a data set containing the monitoring results referred to in accordance with Article 17(1) and (4) and update that data set annually thereafter;

Amendment 203

Proposal for a directive

Article 22 – paragraph 1 – point h

Text proposed by the Commission

(h) by 31 December **2025**, set up a data set containing the list of areas identified as sensitive to eutrophication in accordance with Article 7(2) and update that data set every 5 years thereafter;

Amendment

(h) by 31 December **2027**, set up a data set containing the list of areas identified as sensitive to eutrophication in accordance with Article 7(2) and update that data set every 5 years thereafter;

Amendment 204

Proposal for a directive
Article 22 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(ja) by December 2025, set up a data set containing information on the type and the volume, if applicable, of technologies used for biological wastewater treatment, such as plastic biomedica, used by individual, municipal and industrial plants, and update that data set every five years thereafter;

Amendment 205

Proposal for a directive
Article 22 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

With regard to the information referred to in paragraph 1, the EEA shall provide the public with access to relevant data through the European Pollutant Release and Transfer Register established under Regulation (EC) No 2006/166.

With regard to the information referred to in paragraph 1, the EEA shall provide the public with access to relevant data through the European Pollutant Release and Transfer Register established under Regulation (EC) No 2006/166 ***and allowing for a comparison at national level and exchange of best practices at Union level of the performance of treatment plants, and supporting compliance with this Directive through its database.***

Amendment 206

Proposal for a directive
Article 23 – paragraph 1 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

b) the identification and planning of investments required to implement this Directive for each agglomeration, including an indicative financial estimation and a prioritisation of those investments

b) the identification and planning of investments required to implement this Directive for each agglomeration, including an indicative financial estimation, ***including an estimation of the***

related to the size of the agglomeration and the environmental impact of untreated urban wastewater;

financial contribution from the producer responsibility organisations established in accordance with Article 10 of this Directive, and a prioritisation of those investments related to the size of the agglomeration and the environmental impact of untreated urban wastewater;

Amendment 207

Proposal for a directive

Article 23 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission

c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;

Amendment

c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates, ***and using, where appropriate, digital instruments***;

Amendment 208

Proposal for a directive

Article 23 – paragraph 3

Text proposed by the Commission

3. Member States shall update their national implementation programmes at least every 5 years. They shall submit them to the Commission by 31 December, except where they can demonstrate that they are in compliance with Articles 3 to 8.

Amendment

3. Member States shall update their national implementation programmes at least every six years ***and in alignment with the timing of the review of the Programmes of Measures of the River Basin Management Plans developed under Directive 2000/60/EC***. They shall submit them to the Commission by 31 December, except where they can demonstrate that they are in compliance with Articles 3 to 8.

By 12 months after they adopt their action plans on water reuse and saving set under Article 15, paragraph (1a), Member States shall carry out an assessment of the state of implementation of those action

plans.

By ... [48 months after the date of entry into force of this Directive] Member States shall communicate the outcome of the assessment.

Amendment 209

Proposal for a directive

Article 24 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that adequate and up-to-date information on urban wastewater collection and treatment is available to the public online, in a user-friendly and customised way, in each agglomeration. The information shall include at least the data listed in Annex VI.

Amendment

Member States shall ensure that adequate, ***easily accessible***, and up-to-date information on urban wastewater collection and treatment is available to the public online, in a user-friendly and customised way, in each agglomeration. The information shall include at least the data listed in Annex VI.

Amendment 210

Proposal for a directive

Article 24 – paragraph 2 – introductory part

Text proposed by the Commission

2. In addition, Member States shall ensure that all persons connected to collecting systems receive regularly and at least once a year, in the most appropriate form, including on their invoice ***or by*** smart applications, without having to request it, the following information:

Amendment

2. In addition, Member States shall ensure that all persons connected to collecting systems receive regularly and at least once a year, in the most appropriate ***and easily accessible*** form, including on their invoice ***and by digital means, such as*** smart applications, without having to request it, the following information:

Amendment 211

Proposal for a directive

Article 24 – paragraph 2 – point a

Text proposed by the Commission

(a) information on the compliance of the collection and treatment of urban wastewater with Articles 3, 4, 6, 7 and 8, including a comparison between the actual releases of pollutants in receiving waters with the limit values set out in Tables 1, 2 and 3 of Annex I;

Amendment

(a) information on the compliance of the collection and treatment of urban wastewater with Articles 3, 4, 6, 7 and 8, including a comparison between the actual releases of pollutants in receiving waters with the limit values set out in Tables 1, 2 and 3 of Annex I; ***this information shall be presented in a manner that allows for easy comparison, for example in the form of a percentage of compliance;***

Amendment 212

Proposal for a directive

Article 24 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the total greenhouse gas emissions (in tonnes of CO₂ equivalent) emitted per year and source;

Amendment 213

Proposal for a directive

Article 25 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The review procedure shall be fair, equitable, ***timely*** and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

The review procedure shall be fair, equitable, ***promptly and on time*** and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

Amendment 214

Proposal for a directive

Article 25 – paragraph 2 a (new)

2a. Member States shall ensure that practical information is made available to the public on access to administrative and judicial review procedures referred to in this Article.

Amendment 215

Proposal for a directive Article 26 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that, where damage to **human** health has occurred as a result of a violation of national measures that were adopted pursuant to this Directive, the individuals affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the violation.

Amendment

1. Member States shall ensure that, where damage to health or environment has occurred as a result of a violation of national measures that were adopted pursuant to this Directive, the individuals affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the violation.

Amendment 216

Proposal for a directive Article 26 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for a violation leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.

Amendment

2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for a violation leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.

Amendment 217

Proposal for a directive Article 26 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Member States shall ensure that information is made available to the public on their right to claim compensation for damage.

Amendment 218

Proposal for a directive Article 27 – paragraph 2

Text proposed by the Commission

Amendment

2. The power to adopt delegated acts referred to in Articles 4(3), 6(3), 7(4), 8(5), 14(3), 20(2), and 24(3) shall be conferred on the Commission for a period of five years from [OP please insert the date = the date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

2. The power to adopt delegated acts referred to in Articles **2(1 a) (new)**, 4(3), 6(3), 7(4), 8(5), **9(1)** 14(3), 20(2), and 24(3) shall be conferred on the Commission for a period of five years from [OP please insert the date = the date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Amendment 219

Proposal for a directive Article 27 – paragraph 3

Text proposed by the Commission

Amendment

3. The delegation of power referred to in Articles 4(3), 6(3), 7(4), 8(5), 14(3), 20(2), and 24(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

3. The delegation of power referred to in Articles **2(1 a) (new)**, 4(3), 6(3), 7(4), 8(5), **9(1)** 14(3), 20(2), and 24(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 220

Proposal for a directive Article 27 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles 4(3), 6(3), 7(4), 8(5), 14(3), 20(2), or 24(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Articles **2(1 a) (new)**, 4(3), 6(3), 7(4), 8(5), 14(3), 20(2), or 24(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 221

Proposal for a directive Article 29 – paragraph 2 – point c

Text proposed by the Commission

(c) the population or the environment affected by the violation, bearing in mind the impact of the infringement on the

Amendment

(c) the population or the environment affected by the violation, bearing in mind the impact of the infringement on the

objective of achieving a high level of protection of **human** health and the environment.

objective of achieving a high level of protection of health and the environment.

Amendment 222

Proposal for a directive

Article 30 – paragraph 1 – subparagraph 1 – point e

Text proposed by the Commission

(e) an ***analyse*** of the possible need to adapt the list of products to be covered by extended producer responsibility to the evolution of the range of products placed on the market, improved knowledge on the presence of micro-pollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micro-pollutants in the inlets and outlets of the urban wastewater treatment plants.

Amendment

(e) an ***analysis*** of the possible need to adapt the list of products to be covered by extended producer responsibility, ***in particular Per- and Polyfluoroalkyl Substances (PFAS)***, to the evolution of the range of products placed on the market, improved knowledge on the presence of micro-pollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micro-pollutants in the inlets and outlets of the urban wastewater treatment plants.

Amendment 223

Proposal for a directive

Article 31 – paragraph 1

Text proposed by the Commission

Every five years, the Commission shall present a report to the European Parliament and the Council on the implementation of this Directive, accompanied, where the Commission finds it appropriate, by relevant legislative proposals.

Amendment

By 1 January 2030 and every five years ***thereafter***, the Commission shall present a report to the European Parliament and the Council on the implementation of this Directive, accompanied, where the Commission finds it appropriate, by relevant legislative proposals. ***The Commission shall assess the possible need to extend the scope of Extended Producer Responsibility, in particular to products containing microplastics and Per- and Polyfluoroalkyl Substances (PFAS) placed on the market and taking into***

account any restrictions on PFAS.

Amendment 224

Proposal for a directive Article 32 – paragraph 2

Text proposed by the Commission

2. Article 3(1) and Article **6(1)** shall apply from 31 December **2027** in respect of Mayotte.

Amendment

2. Article 3(1) and **(2) and** Article **6** shall apply from 31 December **2030** in respect of Mayotte. ***Before the end of the transitional period, the Commission shall collect the information necessary to analyse the necessity of prolonging those transitional arrangements.***

Amendment 225

Proposal for a directive Article 33 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. By... [one year after the entry into force of this Directive], the Commission shall adopt guidelines for implementing the EPR scheme.

Amendment 226

Proposal for a directive Annex I – Part A – paragraph 2 – introductory part

Text proposed by the Commission

The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:

Amendment

The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge ***and using appropriate digital tools where feasible,*** not entailing excessive costs, notably regarding:

Amendment 227

Proposal for a directive Annex I – Part B – point 5

Text proposed by the Commission

5. Authorisations for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to permanently monitor and prevent all **unintentional** biomedica release in the environment.

Amendment

5. Authorisations for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to **inform competent authorities of the biomedica technologies, including the type and volume of plastic biomedica, and retention equipment installed and to** permanently monitor and prevent all biomedica release in the environment. **In the event of releases in the environment, operators shall be required to report the incident to competent authorities.**

Amendment 228

Proposal for a directive Annex I – Part C – point 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) the non-domestic wastewater complies with the relevant maximum allowable concentrations set pursuant to Directive 2008/105/EC;

Amendment 229

Proposal for a directive Annex I – Part D – paragraph 4

Text proposed by the Commission

Amendment

I Requirements for tertiary treatment of discharges from urban wastewater treatment plants referred to in Article 7(1) and (3). One or both parameters may be applied depending on the local situation. The values for concentration or for the

Requirements for tertiary treatment of discharges from urban wastewater treatment plants referred to in Article 7(1) and (3). **For wastewater treatment plants referred to in Article 7(1), both parameters shall apply. For wastewater**

percentage of reduction shall apply.

treatment plants referred to in Article 7(3), one or both parameters may be applied depending on the local situation. The values for concentration or for the percentage of reduction shall apply. Equivalent digital on-line sensor measurement may be used as an alternative for this purpose.

Amendment 230

Proposal for a directive Annex I – Part D – paragraph 5

Text proposed by the Commission

Note 1: Natural nitrogen retention **shall not** be taken into account in the calculation of the minimum percentage reduction.

Amendment

Note 1: Natural nitrogen retention **may** be taken into account in the calculation of the minimum percentage reduction, **if the water can be proven to take more than two years to reach the catchment area sensitive to nitrogen and would contribute to the eutrophication of that area, and shall be reported to the Commission. The concentrations of nitrogen in the areas referred to in point (b) of condition (1) are compliant with the reference conditions set under Annex V.1.2.1 of Directive 2000/60/EC to define the good ecological status of those areas.**

Amendment 231

Proposal for a directive Annex I – Part D – paragraph 7

Text proposed by the Commission

Note 1: The concentration of the organic substances referred to in points (a) **and (b)** shall be measured.

Amendment

Note 1: The concentration of the organic substances referred to in points (a), **(b) and (c)** shall be measured.

Amendment 232

Proposal for a directive
Annex I – Part D – paragraph 8

Text proposed by the Commission

Note 2: The percentage of removal shall be calculated for at least six substances. The number of substances in category 1 shall be twice the number of substances in category 2. If less than six substances can be measured in sufficient concentration, the competent authority shall designate other substances to calculate the minimum percentage of removal when it is necessary. The average of the percentages of removal of all substances used in the calculation shall be used in order to assess whether the required 80 % minimum percentage of removal has been reached.

Amendment

Note 2: The percentage of removal shall be calculated ***on dry weather flow*** for at least six substances ***in categories 1 and 2 and all substances in category 3***. The number of substances in category 1 shall be twice the number of substances in category 2. If less than six ***substances can*** be measured in sufficient concentration, the competent authority shall designate other substances to calculate the minimum percentage of removal when it is necessary. The average of the percentages of removal of all substances used in the calculation shall be used in order to assess whether the required 80 % minimum percentage of removal has been reached.

Amendment 233

Proposal for a directive
Annex I – Part D – point 2 – paragraph 1

Text proposed by the Commission

Flow-proportional or time-based 24-hour samples shall be collected at the same well-defined point in the outlet and, if necessary, in the inlet of the urban wastewater treatment plant . However, any time-based samples used to monitor micro-pollutants shall be 48-hour samples.

Amendment

Member States shall use time-based 24-hour samples ***which*** shall be collected at the same well-defined point in the outlet and, if necessary, in the inlet of the urban wastewater treatment plant . However, any time-based samples used to monitor micro-pollutants shall be 48-hour samples.

Amendment 234

Proposal for a directive
Annex I – Part D – point b a (new)

Text proposed by the Commission

Amendment

(ba) Category 3 (substances of high risk)

- (i) *Telmisartan (CAS No 144701-48-4)*
- (ii) *Bisphenol A (CAS No 80-05-7)*
- (iii) *Beta-estradiol (CAS No 50-28-2)*
- (iv) *Perfluorooctane sulfonic acid (PFOS) (CAS No 1763-23-1)*

Amendment 235

Proposal for a directive

Annex I – Part D – Point 3 – Table

Text proposed by the Commission

— 1000 to 9 999 p.e.:	One sample per month
— 10 000 to 49 999 p. e.:	Two samples per month For micro-pollutants, one sample per month
— 50 000 to 99 999 p.e. :	One sample per week. For micro-pollutants, <i>two samples per week</i>
100 000 p.e. or over:	One sample per <i>day</i> For micro-pollutants, <i>two samples per week</i>

Amendment

— 750 to 9 999 p.e.:	One sample per month
— 10 000 to 49 999 p. e.:	Two samples per month For micro-pollutants, one sample per <i>two</i> months
— 50 000 to 99 999 p.e. :	One sample per week. For micro-pollutants, <i>one sample per two months</i>
100 000 p.e. or over:	One sample per <i>week</i> For micro-pollutants, <i>one sample per month</i>

Amendment 236

Proposal for a directive

Annex I – Part D – point 6

Text proposed by the Commission

6. Analyses concerning discharges from lagooning shall be carried out on filtered samples; however, the concentration of total suspended solids in unfiltered water samples of such discharges shall not exceed 150 mg/l.

Amendment

6. Analyses concerning discharges from lagooning shall be carried out on filtered samples; however, the concentration of total suspended solids in unfiltered water samples of such discharges shall not exceed 150 mg/l. ***Equivalent digital on-line sensor measurement may be used as an alternative for this purpose.***

Amendment 237

Proposal for a directive
Annex I – Part D – Table 2

Text proposed by the Commission

Parameters	Concentration	Minimum percentage of reduction ⁷ (See Note 1)	Reference method of measurement
Total phosphorus	2 0,5 mg/L	90	Molecular absorption spectrophotometry
Total nitrogen	6 mg/L	85	Molecular absorption spectrophotometry

⁷ Reduction in relation to the load of the influent.			

Amendment

Parameters	Concentration	Minimum percentage of reduction ⁷ (See Note 1)	Reference method of measurement
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Total phosphorus	0,2 mg/L	93	Molecular absorption spectrophotometry <i>or equivalent digital on-line sensor measurement.</i>
Total nitrogen	8 mg/L ^{7a}	80	Molecular absorption spectrophotometry <i>or equivalent digital on-line sensor measurement.</i>
<hr/>			
⁷ Reduction in relation to the load of the influent.			
^{7a} <i>These values for concentration are annual means as referred to in Annex I, paragraph D.4(c). However, the requirements for nitrogen may be checked using daily averages where it is proved, in accordance with Annex I, paragraph D.1, that the same level of protection is obtained. In this case, the daily average must not exceed 20 mg/l of total nitrogen for all the samples when the temperature from the effluent in the biological reactor is superior or equal to 12 °C. The conditions concerning temperature could be replaced by a limitation on the time of operation to take account of regional climatic conditions.</i>			

Amendment 238

Proposal for a directive Annex II – point 1

Text proposed by the Commission

1. Areas located in the catchments of the Baltic Sea, the Black Sea, ***parts of*** the North Sea ***identified as sensitive to eutrophication under Directive 2008/56/EC and parts of*** the Adriatic Sea identified as sensitive to eutrophication under ***Directive*** 2008/56/EC;

Amendment

1. Areas located in the catchments of the Baltic Sea, the Black Sea, the North Sea ***and*** the Adriatic Sea identified as sensitive to eutrophication under ***Directives*** 2008/56/EC ***or 2000/60/EC***;

Amendment 239

Proposal for a directive Annex V – point 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) a stress test assessment of the vulnerability of collecting systems and

urban wastewater treatment plants based on climate change scenarios;

Amendment 240

Proposal for a directive

Annex V – point 2 – point a – paragraph 1

Text proposed by the Commission

an indicative objective that storm water overflow, represents no more than 1 % of the annual collected urban wastewater load calculated in dry weather conditions;

Amendment

a goal that storm water overflow, represents no more than ***approximately*** 1 % of the annual collected urban wastewater load calculated in dry weather conditions, ***taking into account the local needs of environmental protection, achievable by technically and economically proportionate means;***

Amendment 241

Proposal for a directive

Annex V – point 2 – point a – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States may provide that the goal referred to in the first subparagraph can alternatively be demonstrated based on a number of occurrences of storm water overflows (but not more than 20 cases per year) or a volume of discharged urban runoff (but not more than 15% of the yearly volume, based on modelling);

Amendment 242

Proposal for a directive

Annex V – point 2 – point a – paragraph 1 b (new)

Text proposed by the Commission

Amendment

A derogation to the obligation in paragraph 2 (a) at national level can be

granted in case of the effective use of separate sewers as in Article 2 (9) (d) if that ensures the same level of environmental protection.

Amendment 243

Proposal for a directive

Annex V – point 2 – point a – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

This indicative target shall be ***met*** by:

Measures to achieve this goal shall be ***in place*** by:

Amendment 244

Proposal for a directive

Annex V – point 2 – point a – paragraph 2 – point i

Text proposed by the Commission

Amendment

(i) 31 December **2035** for all agglomerations of 100 000 p.e. and above;

(i) 31 December **2030** for all agglomerations of 100 000 p.e. and above;

Amendment 245

Proposal for a directive

Annex V – point 2 – point a – paragraph 2 – point ii

Text proposed by the Commission

Amendment

(ii) 31 December **2040** for agglomerations of 10 000 p.e. and above identified in accordance with paragraph 2 of Article 5;

(ii) 31 December **2035** for agglomerations of 10 000 p.e. and above identified in accordance with paragraph 2 of Article 5;

Amendment 246

Proposal for a directive

Annex V – point 3

Text proposed by the Commission

3. the measures to be taken to achieve the objectives referred to in point 2 accompanied with a clear identification of the actors involved and their responsibilities in the **implantation** of the integrated plan.

Amendment

3. the measures to be taken to achieve the objectives referred to in point 2 **and adaptation measures to climate change for the relevant infrastructures on the basis of the stress test assessment referred to in point (ba) of point 1** accompanied with a clear identification of the actors involved and their responsibilities in the **implementation** of the integrated plan.

Amendment 247

**Proposal for a directive
Annex V – point 4 – point a**

Text proposed by the Commission

(a) firstly, preventive measures aiming at avoiding the entry of unpolluted rain waters into collecting systems, including measures promoting natural water retention or rainwater harvesting, and measures increasing green spaces **or** limiting impermeable surfaces in the agglomerations;

Amendment

(a) firstly, preventive measures aiming at avoiding the entry of unpolluted rain waters into collecting systems, including measures promoting natural water retention or rainwater harvesting, and measures increasing green **and blue** spaces limiting impermeable surfaces in the agglomerations;

Amendment 248

**Proposal for a directive
Annex V – point 4 – point c**

Text proposed by the Commission

(c) finally, where necessary to achieve the objectives referred to in point 2, additional mitigation measures including the adaptation of the infrastructure for the collection, storage and treatment of urban wastewater or the creation of new infrastructures with a priority to green infrastructure such as vegetated ditches, treatment wetlands and storage ponds designed in order to support biodiversity **Where relevant**, water reuse shall be

Amendment

(c) finally, where necessary to achieve the objectives referred to in point 2, additional mitigation measures including the adaptation of the infrastructure for the collection, storage and treatment of urban wastewater, **such as connecting newly built urban areas to separate sewers**, or the creation of new infrastructures with a priority to green **and blue** infrastructure such as **green urban spaces, green roofs**, vegetated ditches, treatment wetlands and

considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.

storage ponds designed in order to support biodiversity. Water reuse shall be considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.

Amendment 249

Proposal for a directive Annex VI – point 1 a (new)

Text proposed by the Commission

Amendment

(1a) The information in the following points shall be accessible on-line, and consumers may obtain access to that information by other means upon justified request.

Amendment 250

Proposal for a directive Annex VI – point 8 – point c

Text proposed by the Commission

Amendment

(c) the tonnes of **CO₂** equivalent ***produced or avoided*** per year ***due to the operation of the urban wastewater treatment plant.***

(c) the ***total direct and indirect greenhouse gas emissions (in tonnes of CO₂ equivalent) emitted*** per year ***and source.***

Amendment 251

Proposal for a directive Annex VI – point 10

Text proposed by the Commission

Amendment

(10) a summary of the nature and statistics regarding complaints and of the answers provided by the urban wastewater treatment plant operators on matters falling within the scope of this Directive.

(10) ***information on how to lodge a complaint and how to report non-compliant wastewater discharges to competent authorities and*** a summary of the nature and statistics regarding

complaints and of the answers provided by the urban wastewater treatment plant operators on matters falling within the scope of this Directive.

Amendment 252

Proposal for a directive Annex VI – point 10 a (new)

Text proposed by the Commission

Amendment

(10a) upon justified request, historical data, dating back at least 10 years, shall be accessible.

EXPLANATORY STATEMENT

The rapporteur generally welcomes the European Commission's Proposal for a Directive concerning urban wastewater treatment (recast). The existing Directive 91/271/EEC on urban wastewater treatment (UWWTD) has succeeded in reducing environmental pollution from wastewater and in enhancing the ecological and chemical status of the European water bodies as stated in the Commission's evaluation of the 1991 Directive. It has been successful in decreasing nitrogen and phosphorus emissions in most EU-27 countries. The current Directive is now 30 years old, and needs to be revised in order to deal with new challenges. The Commission proposal suggests stronger rules and more ambitious targets on additional micro-pollutants in order to progress towards the European Green Deal's zero pollution ambition of having an environment free of harmful pollution by 2050.

Small agglomerations

Small agglomerations are covered by the current Directive only in a very general manner and yet constitute a significant pressure on EU's surface water bodies. While some Member States have established in their legislation that all urban wastewater needs to be treated, some other Member States have set standards for smaller agglomerations going beyond the requirements set out in the current Directive. The rapporteur therefore considers the most ambitious approach assessed by the Commission in the impact assessment, namely 500p.e., appropriate for the next period.

Tertiary treatment

The rapporteur considers that removal of nutrients from the wastewater (Art 7) could be more ambitious given that phosphorus removal with iron salts/chemical solutions is relatively cheap and easily scalable. For nitrogen, removals are more difficult due to bacterial processes, requiring more space and warmer temperatures, therefore making it more difficult in an area where the water temperature is on average below 12 degrees. The rapporteur considers therefore necessary that Member States may offer a derogation to the treatment plants for not meeting the set out nitrogen reduction targets for the days when the temperatures are below 12 degrees.

Implementation of the Extended Producer Responsibility

Micro-pollutants are increasingly a concern and the rapporteur therefore in general welcomes the proposal for the introduction of the polluter pays principle for the water sector. The proposal from the Commission includes an extended producer responsibility for pharmaceutical and cosmetic products put on the market (Art 9 and 10). According to the Commission, 92% of micro pollutants found in receiving waters come from pharmaceuticals and cosmetics. Micro-pollutants are a serious concern and especially pharmaceuticals - the ones people ingest - are of concern. The rapporteur however has concerns about the proposed measures for the EPR scheme. Pharmaceuticals and PCPs have a societal added value. Society as a whole has a responsibility for the consumption and/or usage of these products and should therefore contribute toward cleaning it up. Member States should therefore ensure that national financing programmes are set up for the upgrade to quaternary treatment in addition to the EPR scheme.

Energy neutrality of UWWTPs

The rapporteur welcomes the principle of energy neutrality of UWWTPs (Art 11) while the article needs clarifications regarding by what means energy neutrality can be reached. It is important to incentivise the energy production potential of treatment plants while allowing different options to reach the target (on or off-site generation or bought from external sources).

Water reuse and dischargers of urban wastewater

The rapporteur believes that the promotion of water reuse of treated wastewater (Art 15) should be recognised for its great potential in particular for industrial purposes, such as heating and cooling and hydrogen production.

Per- and Polyfluoroalkyl Substances (PFAS)

The proposed Directive and the list of products to be covered by the EPR does not cover chemicals containing PFAS despite their damaging nature to environment and human health. The rapporteur therefore calls on the Commission to assess the possible need to extend the scope of the EPR to products containing Per- and Polyfluoroalkyl Substances (PFAS) taking into account any future restrictions.

The rapporteur is still considering some additional clarifications on questions such as micro-plastics at a later stage.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Urban wastewater treatment (recast)		
References	COM(2022)0541 – C9-0363/2022 – 2022/0345(COD)		
Date submitted to Parliament	27.10.2022		
Committee responsible Date announced in plenary	ENVI 19.1.2023		
Committees asked for opinions Date announced in plenary	ITRE 19.1.2023	AGRI 16.2.2023	JURI 19.1.2023
Not delivering opinions Date of decision	ITRE 29.11.2022	JURI 31.1.2023	
Rapporteurs Date appointed	Nils Torvalds 12.1.2023		
Discussed in committee	26.4.2023		
Date adopted	20.9.2023		
Result of final vote	+: 60 -: 10 0: 6		
Members present for the final vote	Catherine Amalric, Marek Paweł Balt, Traian Băsescu, Aurélia Beigneux, Hildegard Bentele, Alexander Bernhuber, Malin Björk, Delara Burkhardt, Pascal Canfin, Mohammed Chahim, Tudor Ciuhodaru, Nathalie Colin-Oesterlé, Maria Angela Danzi, Esther de Lange, Christian Doleschal, Bas Eickhout, Cyrus Engerer, Agnès Evren, Pietro Fiocchi, Hélène Fritzon, Gianna Gancia, Andreas Glueck, Catherine Griset, Teuvo Hakkarainen, Martin Hojsík, Pär Holmgren, Jan Huitema, Yannick Jadot, Peter Liese, Sylvia Limmer, César Luena, Marian-Jean Marinescu, Marina Measure, Silvia Modig, Dolors Montserrat, Ljudmila Novak, Nikos Papandreou, Francesca Peppucci, Stanislav Polčák, Erik Poulsen, Frédérique Ries, María Soraya Rodríguez Ramos, Sándor Rónai, Silvia Sardone, Christine Schneider, Ivan Vilibor Sinčić, Maria Spyraiki, Nils Torvalds, Achille Variati, Alexandr Vondra, Mick Wallace, Pernille Weiss, Emma Wiesner, Michal Wiezik, Tiemo Wölken		
Substitutes present for the final vote	Anna Deparnay-Grunenberg, Estrella Durá Ferrandis, Danilo Oscar Lancini, Marisa Matias, Manuela Ripa, Michèle Rivasi, Christel Schaldemose, Grzegorz Tobiszowski, Nikolaj Villumsen, Sarah Wiener, Jadwiga Wiśniewska		
Substitutes under Rule 209(7) present for the final vote	Beatrice Covassi, Frances Fitzgerald, Alexandra Geese, Jens Geier, Francisco Guerreiro, Hannes Heide, Karin Karlsbro, Erik Marquardt, Johan Nissinen, Thomas Rudner		
Date tabled	26.9.2023		

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

60	+
NI	Maria Angela Danzi
PPE	Hildegard Bentele, Alexander Bernhuber, Nathalie Colin-Oesterlé, Christian Doleschal, Agnès Evren, Frances Fitzgerald, Esther de Lange, Peter Liese, Marian-Jean Marinescu, Dolors Montserrat, Ljudmila Novak, Francesca Peppucci, Christine Schneider, Maria Spyraiki, Pernille Weiss
Renew	Catherine Amalric, Pascal Canfin, Andreas Glueck, Martin Hojsík, Jan Huitema, Karin Karlsbro, Erik Poulsen, Frédérique Ries, Maria Soraya Rodríguez Ramos, Nils Torvalds, Emma Wiesner, Michal Wiezik
S&D	Marek Paweł Balt, Delara Burkhardt, Mohammed Chahim, Tudor Ciuhodaru, Beatrice Covassi, Estrella Durá Ferrandis, Cyrus Engerer, Helène Fritzon, Jens Geier, Hannes Heide, César Luena, Nikos Papandreou, Sándor Rónai, Thomas Rudner, Christel Schaldemose, Achille Variati, Tiemo Wölken
The Left	Malin Björk, Marisa Matias, Marina Mesure, Nikolaj Villumsen, Mick Wallace
Verts/ALE	Anna Deparnay-Grunenberg, Bas Eickhout, Alexandra Geese, Francisco Guerreiro, Pär Holmgren, Yannick Jadot, Erik Marquardt, Manuela Ripa, Michèle Rivasi, Sarah Wiener

10	-
ECR	Johan Nissinen, Grzegorz Tobiszowski, Alexandr Vondra, Jadwiga Wiśniewska
ID	Gianna Gancia, Danilo Oscar Lancini, Sylvia Limmer, Silvia Sardone
PPE	Traian Băsescu, Stanislav Polčák

6	0
ECR	Pietro Fiocchi, Teuvo Hakkarainen
ID	Aurélia Beigneux, Catherine Griset
NI	Ivan Vilibor Sinčić
The Left	Silvia Modig

Key to symbols:

+ : in favour

- : against

0 : abstention