



Council of the European Union  
General Secretariat

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**Brussels, 03 February 2023**

**WK 1013/2023 ADD 5**

**LIMITE**

**ENV**

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## **CONTRIBUTION**

From:	General Secretariat of the Council
To:	Working Party on the Environment
N° prev. doc.:	WK 614/2023
N° Cion doc.:	ST 14223/22 + ADD 1
Subject:	Urban Wastewater Treatment Directive: WPE on 27 January 2023 - comments from a delegation

Following the call for comments on the above set out with WK 614/2023, delegations will find attached comments from BE.

## **BELGIUM**

### **Comments**

**on the proposal for a recast of the Urban Wastewater Directive 91/271/EEC  
following the WPE of the 27.01.2013**

Belgium has a **general scrutiny reservation** on the proposal. Upon the invitation of the Presidency to send in comments in writing, BE can share the following comments on the proposal, in addition to the ones previously submitted on these articles (and still valid):

#### **Tertiary treatment**

##### **Article 2.12**

BE would like to see a reference made to the specific requirements in the annex in the definition.

##### **Article 7**

- The proposal to lower the limits for both total nitrogen and total phosphorus will have a big impact. We are further evaluating the proposal but we are supporting the overall idea and recognize the need to further upgrade the performance targets.
- In addition we have some more detailed remarks/ questions:
  - o § 3 is deleted and §4 makes only reference to the parametric values set out in table 2 of part B of Annex I. We notice that the footnotes 8,9 and 10 are deleted and part of the very crucial information - like for instance that that one or both parameters may be applied - is now included in part D. We think a legal check is needed on the wording in the new §4. We miss a clear reference to the whole of the provisions in annex I in the new §4.
  - o §6 - We don't fully understand the goal and relevance of the paragraph 6. Reference is made again to treatment plants but the provisions in § 3 account for agglomerations, can this be explained?
- Annex IB - new §5 is not clear to us. Is it the aim to assure that release of microplastics from plastic biomedica is avoided? What is exactly meant with 'permanently monitor'? Is the focus on macro parts of actual micro plastics? How this relates to the monitoring frequencies?
- We refer to our earlier comments on frequencies. The suggested frequencies are too high for the large agglomerations > 100.000 p.e. A frequency of one sample per week is the maximum acceptable frequency in our view.

## **Risk assessment and risk management**

### **Article 18**

- BE supports in general at first reading this new article. A sort of 'gap-analysis' is indeed relevant to make. However we are concerned about the specific situation when all treatment requirements foreseen under this directive are already met. It is important to have a common understanding that the more stringent requirements mentioned in §2.f (only measure mentioned for agglomerations > 10.000 p.e.) have clear limitation from both technological point of view and economic point of view.
- A rewording of point f) is in place here making reference to the outcome of a cost/benefit analyses for such more stringent requirements.

## **Monitoring**

### **Article 21**

- Art 21, §3 a) (ii) – Could it be confirmed that, given directive 2008/105/EC, decision 2455/2001/EC is however still in force or relevant?

## **Quaternary treatment**

### **Article 2.13**

We have the same remark here as for tertiary treatment, please include a reference to the specific requirements

### **Article 8**

The proposed approach for a quaternary treatment to address to issue on micro-pollutants is again considered again challenging. Nevertheless, BE acknowledges the issues around the entry of micro-pollutant in the aquatic environment by UWWTP's. We are however concerned about the level of ambition and the practical feasibility within the proposed timeframe. We wish to stress that in our view, the experience with quaternary treatment is still limited.

At the moment, we have the following remarks/questions and concerns to raise:

- Art 8. 2 - §1 - COM stated that the only micro-pollutants of concern in relation UWWTP's identified so far are pharma and pcp's. To assure a correct and harmonized implementation we ask to make a clear reference to annex I, table 3.
  - The definition of micropollutants is very broad and could create uncertainty on the actual requirements under the directive. It should be made more clear to what extent MS have the obligation to broaden the scope of article 8 to other micropollutants.
  - The parametric value proposed is '80% removal', that we find problematic. In the light, it is also important to take into account that in the proposal for new environmental quality standards, only 3 of the pharmaceutical mentioned in annex I are included. On what basis should we assess the environmental risk for the other compounds mentioned in the annex I?
  - Annex I, D - The maximum acceptable frequency of monitoring for micropollutants for BE is 'one sample per month'.
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